2:Seligman & Seligman E-5 (1909-1910) 1932
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Chapter II

THE SHILLUK

131 The Shilluk country forms a narrow fringe on the west bank of the Nile, from Kaka in the north to within 30 miles of Lake No in the south. From Kodok to Taufikia the Shilluk also occupy the east bank, and their villages extend some 35 miles up the Sobat River, principally on the north bank. Theirs is the flat grass country, 132 433 dry in the dry season, swampy in the wet, extending on both sides of the Nile; hence cattle are their wealth and principal care, and 231 243 although a considerable quantity of millet is grown not enough is harvested to provide fully for the relatively dense population, and scarcity is by no means unusual. A census taken in 1903 gave 161 a population of nearly 40,000, possessing over 12,000 head of cattle and nearly 64,000 sheep and goats. No doubt the number of cattle returned was unduly low, but, making all allowances, the Shilluk are poorer in cattle than are the Dinka. The 1903 figure is far below that suggested by Schweinfurth (1,200,000), and at the present time it is likely that the Shilluk number some 100,000.

● 171 We have stated in Chapter I that in our opinion the homeland of the Shilluk-speaking tribes lay to the east of Lake Victoria. We have 174 no historical record of a northerly movement, all we can say is that a series of migrations gave rise to a number of tribes speaking Shilluk dialects in what is now the Bahr el Ghazal Province, and that from one of these, the Luo, the Shilluk nation of history originated.

[114] The researches of the Rev. Father Hofmayr of the Austrian Mission[1] indicate that the Luo—the Shilluk-speaking "Jur"—of the Bahr el Ghazal Province represent the remains of what was once a greater Luo people, from whom are derived the present Shilluk nation, or, more accurately, a certain number of their leading families including that of the king. Here in the neighbourhood of the present Luo country, the land of Dimo of the legends, Nyakang—the leader, culture-hero, and first king of the Shilluk—lived with his half-brother's son, Dimo, until the enmity of the latter drove Nyakang and his followers to seek fresh homes to the east and so brought into existence

[1] Wilhelm Hofmayr, *Die Schilluk. Geschichte, Religion und Leben eines Nilotен-Stammes*, Wien, 1925.

2:Seligman & Seligman E-5 (1909-1910) 1932
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the Shilluk nation. As Nyakang passed northwards along the river he incorporated the inhabitants; moreover, he had magic, and so where men were lacking he turned hippopotami and other animals into human form to become his subjects.[1]

The Shilluk, though generally tall and long-headed, seem to us to vary more among themselves than any of the riverain tribes of which we have first-hand knowledge, for while the subject (No. 1) figured on Pl. III may be taken to represent an average Shilluk youth (style of head-dress now unfashionable), a long-faced, straight-nosed and thin-lipped type, as shown in its extreme form in No. 2 is by no means uncommon, as also the handsome if somewhat fierce type shown in No. 3; there is, too, a rare, exaggeratedly negroid, type (No. 4), but this can hardly be accepted as truly Shilluk without prolonged genealogical research. Such wide variation can be best explained by assuming that Nyakang and his followers represented a stock carrying more Hamitic blood than the inhabitants of the riverain villages and other stocks who united with them, and we have no doubt that so far as the Nilotes are concerned even at the present day the maximum of Hamitic blood is to be found among the Shilluk, who, with the exception of the Azande, are the best organized people in the Anglo-Egyptian Sudan, and who of all the black tribes offered the most determined opposition to the Khalifa and his followers.

The wealth and social position of the Shilluk are estimated in cattle; sheep and goats are kept, but these are not regarded in the same, almost sacred, light as cows. Milking is done by boys and old men, women not being allowed to milk. In every village there is a number of cattle byres, such as those shown on Pl. V, but except

[1] A number of Westermann's texts (*The Shilluk People*, Phil., 1912) refer to groups of the earlier inhabitants absorbed into the Shilluk nation by Nyakang, including turtle-men (op. cit., p. 169) and some mysterious river people (pp. xlv, 164–5). One of the first stories that the inquirer into the wanderings of Nyakang will hear is that of Obog or Obogi, who allowed himself to be sacrificed in order that Nyakang might pass across a river blocked with vegetation. The tale, given here in Westermann's version (op. cit., p. 165), constitutes a convenient starting-point for inquiries into the route taken by Nyakang:—

"When Nyikang came, he went to the Khor Atulfi, with his followers; he found the river was shut up by the sudd, so that Nyikang did not find a passage. And a certain man who was an albino asked thus, 'Nyikang, why do you stop? Is it because you do not find a passage?' He replied, 'Yes, I do not see a way where to pass.' The man said, 'When I have finished eating, I shall come, I will be killed with a spear, my blood will flow into the river, and the sudd will break away.' And Nyikang speared the man, his blood flowed into the river, and the sudd broke away. Thus Nyikang found a passage."

Nothing definite can be said as to the date of Nyakang. Hofmayr (op. cit., 64) thinks that Ocalo, the fifth king of the genealogy, is the first historic king, and dates his reign 1600–35. Presumably this is reached by reckoning backwards; it is a reasonable estimate, giving an average reign of about 13 years, and allowing thirty to a generation.

2:Seligman & Seligman E-5 (1909-1910) 1932
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Chapter III

SHILLUK (Contd.); OTHER SHILLUK-SPEAKING TRIBES

Religion

There are present three important and clearly defined elements in the religion of the Shilluk, viz. :—

1. The recognition and somewhat limited worship of a god, Juok.
2. The cult of Nyakang and the dead kings of the Shilluk (ultimately reducible to the cult of Nyakang, since he is incarnate in every king).
3. The cult of ancestor spirits other than that of Nyakang.

We shall discuss these in the above order, but must first point out that besides these outstanding features of his religion the Shilluk beliéves in various more or less anthropomorphic but non-human beings dwelling in bush and river, the most important of these being the river-people, with whom are associated herds of supernatural river-cattle.

The word *juok*, or some dialectical modification, occurs in all the Nilotic languages as well as in some others, e.g. Lotuko. It always connotes something in the nature of god, spirit, or ghost, but its practical meaning in one language may be quite different from that in a neighbouring tongue, while identical meanings in two languages may have very different values since a particular connotation of the word common to two peoples may refer either to an important or to an entirely subsidiary element in their religious beliefs.[1]

Juok is formless and invisible, and, like the air, is everywhere at once. He is far above Nyakang (in whose cult the Shilluk religion centres) and men alike ; nevertheless it is principally through Nyakang that men approach him, performing the sacrifices to Nyakang which cause him to move Juok to send rain. There are, however, prayers to Juok, and the word Juok occurs in many greetings, e.g. *Yimiti*

[1] These points may be summarily illustrated by comparing Shilluk, Dinka, and Acholi. In Shilluk, Juok though associated with the firmament is, apart from Nyakang, of comparatively little practical importance in daily life ; to the Dinka *jok* are the mighty dead, appealed to on almost every occasion of difficulty or danger, while among both Shilluk and Acholi there are certain spirits of the bush known as *juok nim* who, greatly feared among the Acholi, are little regarded by the Shilluk. For an excellent discussion of the significance of the word *juok* see Hofmayr, op. cit., 185–208.

2:Seligman & Seligman E-5 (1909-1910) 1932
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776 as woman.[1] Certain of the Shilluk kings, i.e. particular incarnations
775 of Nyakang, tend to be identified with particular species of animals.
825 Nyakang, Dag, and Nyadwai all appear as a white bird called *okak*, or, rarely, as a giraffe; if the animal comes straight towards the village in which the shrine stands, exhibiting no sign of fear, it is concluded that it is a spirit animal, and the attendants at the tomb sacrifice a sheep, or perhaps even a bullock. Father Banholzer adds "long-bodied grasshoppers" and "a kind of snake called *red*" as forms in which Nyakang appears. Dr. Lambie of the American Mission informed us that unusual behaviour on the part of almost any land animal would lead the Shilluk to look upon the creature as a temporary incarnation of Nyakang, adding that unusual behaviour on the part of a water animal would be put down to the animal incarnating the spirit of Nikaiya (Nyakai); so "if a little bird flies into the midst of a crowd of people and is not frightened, or attracts someone's notice in a special manner, they say 'Nyakang'". Occasionally Nyakang appears as a bull; in 1910 a very old Shilluk of the royal family said that in his youth, fifty or more years earlier, Nyakang appeared as a white bull, when the king ordered sacrifices to be made in addition to those already offered by the local chief.

We may add an experience of our own. Yur Adodit takes the form of an insect called *akwan* (Ar. *gamal en nebi*), which appears to be the larval form of one of the *Mantidae*; we only discovered this important belief by the fortunate accident of an *akwan* settling upon our camera while we were making inquiries near the grave shrine of Yur Adodit, which was being repaired. We were about to examine the insect when we were told by Col, whom we had been questioning, not to touch it. The *jago*, with his face showing the greatest pleasure, took the insect in his hands and reverentially carried it to the shrine, only the base of which had been built up, and deposited it on a leafy branch which was thrust into the ground in the centre of the shrine, i.e. over the grave of Yur Adodit. Col told us that the appearance of Yur Adodit in his animal form showed that he was favourably disposed to us and was not displeased at our inquiries concerning the shrine, and after this incident it was distinctly easier to obtain

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773] [1] According to an account, perhaps of Anuak origin or at least showing Anuak influence, collected by the Rev. J. K. Griffin on the Sobat river, Nikaiya is physically part human part crocodile. In the beginning Juok created a great white cow, Deung Adok, who came up out of the Nile. She gave birth to a man child, whose grandchild, Ukwa, married two sisters, of whom one, Nikaiya, or Nyakai, the lower part of whose body was that of a crocodile, brought forth Nyakang, who inherited his mother's saurian attributes (*The Anglo-Egyptian Sudan*, 1906, 197).

2:Seligman & Seligman E-5 (1909-1910) 1932
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PLATE IX

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Dura-bird ceremony, sacrificial bull at shrine of Nyakang

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Fenikang, shrine to Deng

[See p. 88

2:Seligman & Seligman E-5 (1909-1910) 1932
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victim into a crocodile to be a spouse to one of her crocodile relatives. Yet Nikaiya brings luck to those whom she visits by night to ask for fire; if a barren woman bears a child after such a visit it will be called Nikaiya, and the father will kill a sheep and throw it into the river. Nikaiya is known by her short stout figure and great muscular development, and by the fact that she "eats" (mouths) her words. That the river is the true home of Nikaiya is shown by the manner of sacrificing to her; for as a sacrifice would be made at the shrine of Nyakang, or at the grave shrine of any Shilluk king, if Nyakang or one of the kings had appeared in a dream—or if a king had "possessed" a man causing him to become ill—so when Nikaiya becomes immanent sacrifice is made by throwing a live sheep, with its legs bound, into the river.

Hofmayr states that the *bareth* may divine that a new-born infant has been sent by Nikaiya; if a boy it will then be called Nikaiyo, if a girl Nikaiya.[1] When such a child grows up and becomes betrothed an offering must be made to Nikaiya as part of the wedding ceremony. The couple go to the river, where the *bareth* slaughters a male black and white sheep, smears the young people with the contents of the stomach, and fastens the ear-lobes with beads on to the feet of the bride. Beer, tobacco, earth, and parts of the sacrifice are thrown into the river for Nikaiya, and the betrothed bathe in the river. They are then conducted by the *bareth* to a house prepared for them in the bride's village, and must remain there for three or four days.[2]

There is a limited cult of the Dinka god, Dengdit, perhaps confined to the southern part of the country. Fig. 2 of Pl. IX represents a shrine to Dengdit in Odong hamlet, not far from Fenikang, and we both saw and heard of other instances. The example figured is, as far as we could determine, unlike any Shilluk shrine and was said to be of Dinka pattern. The present incumbent took over the shrine at the death of his grandmother, a Dinka woman, who had been possessed by Dengdit to whom she erected the shrine. The iron bracelets shown in the photograph have all been brought by Shilluk, who visit the shrine in considerable numbers. No doubt the possession of the present incumbent resembles the Shilluk possession by their *ror* (kings).

We should also mention the spirits of the bush and river, i.e. creatures resembling mankind in form but with non-human functions

[1] Op. cit., 277. [2] Hofmayr, op. cit., 291.

2:Seligman & Seligman E-5 (1909-1910) 1932
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643 796 homestead, and is speared by an *ororo* after the king has marked it with a spear, or perhaps made passes over it, the beast being dragged away to fall probably outside the shrine of Nyakang.

This brings the installation proper to an end, and the king, waited on by the *nya kwer*, enters the homestead, where he should remain [775] some ten days in solemn communion with Nyakang whose spirit he now incarnates.

On the tenth night the king is taken by the *ororo* to his rebuilt "palace" on the mound Aturwic, and lives there for a month in retirement. When he comes down from the mound there is again a sham fight, in which he vanquishes his opponent, and he is now the acknowledged king.[1] A beast is sacrificed, and the chiefs present make oration on the rights and duties of the ruler, each emphasizing his words by brandishing his spear and thrusting it into the ground at the close of his speech. The king replies, promises to be a just ruler, to punish wrong and to protect the weak, and dismisses his people after exhorting them to remain true to Nyakang and to their ancient customs.

The three newly built huts which were occupied by the king are broken down (perhaps by the *ororo*) and their fragments thrown into the river.

We believe that the installation of a new *reth* generally takes place about the middle of the dry season. It was said that the Akurwa party and "Nyakang" stay at Fashoda for some time, until about the beginning of the rains. On leaving Fashoda a bullock is sacrificed, and a sheep is killed before crossing every khor on the way back. On arriving at Akurwa four or five of the cattle presented by the *reth* are sacrificed, and the bones thrown into the river.

771 The third element in the Shilluk religion is the cult of ancestors (other than those of the royal family). We confess that we feel unable to set this forth in due proportion and perspective. For [171] while it is certainly true to say that the ancestral cult is overshadowed by the cult of Nyakang, and that if it ever existed in any such form and degree as among the Dinka it is now but a remnant of what it [781] once was, yet we are convinced that there is very much more feeling for and fear of dead ancestors than appears on the surface. We have

[1] Papit, the present king, left his temporary homestead on the third night and came down from his palace on the mound the next morning. For a rather confused account of what happened then, given to Mr. Munro by an Egyptian officer—not apparently himself an eye-witness—see Mr. Munro's article (our Appendix) already quoted.

3:Westermann E-5 (1910) 1912 FJ23 Shilluk FJ23

with rather long legs, a slender body, and large horns. The horns, while young, are dressed into most manifold strange forms, this being the business of a particular craftsman, the "dresser of horns". Sometimes in a large herd one sees hardly any cattle with the horns in their natural shape. An illustration of how cattle are cherished and almost regarded as personal beings is the fact that they have about 40 different names for cattle, according to their colour, the configuration or size of the horns, etc. Vide page 107. — Domestic animals are not butchered, except when sick or exceedingly old. Oxen and goats are killed on festal occasions, such as funeral or marriage meals, or as sacrifices to Nyikang and Jwok. Neither do they sell cattle; for a stranger it is practically impossible to purchase a cow or an ox. The price of a cow is about £ 5; an ox is half the value of a cow which has calved; a young heifer has double the value of a cow. — Slaying a cow is done by stabbing it with a spear in the nape, so that the aorta is pierced. The blood is collected and cooked as food.

The cows are milked morning and evening, usually by boys, sometimes also by old men, but not by women, the latter having nothing to do with cattle. The quantity of milk obtained is but poor. A gourd is the usual milk vessel. These are washed with cow-urine, which gives the milk an unpleasant flavour. They also wash their hands in cow-urine; but they do not mix the milk with it, as is the custom with Dinkas and Nuers.

Each village possesses a common cow-shed, but into it the herd is put at night during the rainy season only, when the mosquitoes are very bad. The rest of the year they are kraaled in the open yard, where they are tied with ropes to short pegs driven into the ground. This cattle-court is a semi-circular enclosure; at the entrance to it there is a small circular place built of corn stalks and covered with ashes, in which the young men who watch the herd sleep. A fire of dried cow dung is kept smouldering all night in this place. Sick cattle are nursed in the cow-shed during the daytime, to keep them out of the sun and away from food, but not in the night, unless it is the season when all the cattle are housed. Many cattle die every year, from intestinal worms and other diseases. A considerable number of cows are barren.

The cattle are herded by young men and boys. As soon as the dew has dried off the grass, the herd is driven into the pasture. During the dry season, when grass is getting rare, the herds migrate into the lower and swampy parts of the country, where the grass is still flourishing; the Shilluks along the White Nile cross over to the east bank; likewise the cattle of the Sobat Shilluks descend to the lagoons south of the Sobat. So in both cases they have to cross the rivers, which is, on account of the many crocodiles living in them, not undangerous, and is therefore done with much care and accompanied by

3:Westermann E-5 (1910) 1912 FJ23 Shilluk FJ23

A list of craftsmen and their trade vide page 105. A few words may be added here on some particular crafts. They have skilful blacksmiths; these make spears, hoes, axes, harpoons, picks, arm-rings of brass and of iron, bells, chains. Their handicraft, which is carried on chiefly during the dry season, is a travelling one; they take their tools and go about from one place to another. While among the Dinkas the blacksmiths are considered a low, despised class of people, who live separate from the villages in the bush, with the Shilluks they are respected persons, and accordingly their pay is good. The employer has to support the blacksmith working for him, and pays him a sheep beside. Iron is not found in the Shilluk country. Previous to the opening up of the country to the traders the iron secured by the Shilluks came from the Dinkas and Nuers, who seemed to buy it from the natives of the Upper Nile regions (Jurs, Bongos), where iron is smelted; some may also have come from Darfur through Kordofan. In recent years, however, nearly all of it is procured from the north, and is of European origin. A remarkable proof of the growing willingness on the side of the natives to work for wages is the fact that during the last two years the American missionaries have introduced and sold to the natives some thirteen tons of raw iron, together with a great number of good iron tools, as axes, etc. Not only the raw material, but even the finished articles of native manufacture are gradually being replaced by European imports. Their good spears are still made by their own blacksmiths, but many cheap spears are bought from the traders; so are their crude axes, mattocks and hoes. Iron bracelets and other ornaments are made by their blacksmiths from iron rods. If the rod is too large, it is heated and beaten out. Whatever the Shilluk blacksmith makes, is superior to the imported article that he gets from the Arab or Greek trader. It may be mentioned that the word *bɔ̄ŋɔ*, which means originally and properly "blacksmith", has also the wider sense of "craftsman", and has become a designation for all other crafts they practise.

BLACKSMITHS

An important craft is that of the thatch-maker. The roofs of the Shilluk houses are of a peculiarly neat description. While the Dinkas generally leave the roof with the appearance of being unfinished, the grass not being smoothed down and cut at the ends, the Shilluk thatcher makes his thatch with a neatness which really excites admiration. The framework of the roof is always made on the ground and placed on the circular wall like a great conical cap.

OTHER CRAFTS

Plaiting is practised by both sexes. Men make the large, coarse mats for enclosing yards, and also the large grain baskets. Women plait small fancy mats for covering food, and also very nice small coloured baskets, sieves, etc.

Most of the men make their own ostrich shell girdles. The shells are first broken into irregular pieces, which are pierced in the center with an awl-

3:Westermann E-5 (1910) 1912 FJ23 Shilluk FJ23

here articles of purchase and sale are calculated in silver currency.

The daily work of the women is cooking, carrying water, cleaning the house and yard, etc. During the time of farmwork they help the men in cultivating the fields.

FOOD

The staple food is dura. It is cooked, baked into a bread *(kuga)*, roasted, brewed and, when green, eaten raw. For different kinds of food vide page 102. Their diet is rather monotonous, dura being its constant chief component. The dura is pounded and ground. The mortar is either a log of wood hollowed out, or a flat excavation in the ground, limed out with clay. The mill-stones — a large and a small one, with the latter the grinding is done — are secured from districts west of the Shilluk country. — Fire is made by twirling a hard stick on a soft piece of wood.

Besides dura they eat sesame, duchn, maize, beans, some onions, various grass seeds, the seeds of the lotus plant and of some kinds of nymphaeae. The fruit of several trees, as deleib, nabag, etc. also serve as food; they even rob ant hills to procure the winter store of hoarded seeds. White ants, when in the winged state, are a delicacy to them. — Milk is used in the household in many ways: it is drunk fresh, sour, or boiled, or dura meals are prepared with it. They also make butter, by shaking or rolling the milk in a gourd. — As domestic animals are almost never slain, meat forms no part of the daily food, but is rather an exceptional delicacy, which is, however, sought for with eagerness; of game they hardly leave any piece uneaten, skin and bowels not excepted; they do not even despise dead animals. The blood of killed animals is kept and cooked, but they do not tap the blood from living cattle, as is the custom with the Bari and Masai. — Generally they prefer the meat of castrated animals.

Two chief meals are taken daily; one from nine to ten in the morning, and the second at sunset.

BREWING OF BEER

A large quantity of the dura the people reap is used in cooking merisa or beer. The grain is put into jars and water poured on it. Thus it is left till the grain begins to sprout. Then it is spread in the sun to dry, and then pounded or ground; this wet meal is mixed with flour from the fresh grain and put a second time into jars which are filled with water. After stirring and mixing well, a little dry meal is sprinkled on it; the jars are covered with small mats and allowed to remain a day or two, until it begins to ferment, when a little more water and meal are added. When the whole mass is well fermented it is filtered through a grass funnel, and the following day is ready for use. It will keep about a week. Though this drink is slightly intoxicating, it does not seem to do great harm; it is very nourishing, and the natives regard it rather as a food than a beverage.

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by side with Arabs and other Mohammedan people, should have preserved their own heathen form of worship, and should, with a few exceptions, look down rather with contempt on the religion of the foreigners. Partly this is explained by their conservativeness and self-confidence, and partly by the fact that their intercourse with Mohammedans was almost exclusively hostile. Whether now that the Pax Britannica makes slave-dealing and raiding impossible and new ideas slowly penetrate the country, Islam will make greater progress, the future will show. A gradual peaceful conquest of the country by Islam is not improbable, because civilisation, as it comes to these people, wears an outspoken islamic stamp.

On Christian Mission work among the Shilluks vide the end of Introduction.

v. POLITICAL INSTITUTIONS.

643 [171] [644]

RESIDENCE OF THE KING

The Shilluks are the only people of the Sudan who have a Kingdom [1]. The king resides at Fashoda. His residence consists in a large number of huts for himself, his numerous wives and other members of his family and for guests. He possesses large herds of cattle, goats and sheep. When a person of some respect pays him a visit, the king presents him with an ox. — The royal robe consists in a leopard skin. They have also a coronation robe of leopard skin and ostrich feathers, which has been handed down from many generations. The present king has a gorgeous red robe presented by the governor, which he wears on occasions when he meets the higher English officials.

ELECTION

The kingdom of the Shilluks is hereditary in so far as the king must always be a member of the royal family, that is, of the descendants of Nyikang, and only a person whose father has been a king, may be elected. There are three houses of the royal family, and the king is elected from each of these royal branches in turn. If there are several brothers in the branch whose turn it is to have the kingship, upon the death of the king one of these brothers will be elected. But in case there is no vacancy during the life of these three brothers, then the sons of the eldest will be in line for the throne.

Fadyet is the present king. He is of the house of Kwat Ker. When he dies, the kingship will pass to the house of *Yẽ*; at the death of the king from the house of *Yẽ* it will be the turn of the house of *Ńoḷọk*. Thence it will return to the house of Kwat Ker, but not to a son of *Fadyet*, but to one of the king's brothers. When it has gone around the circle again, it will be the turn of a son of *Fadyet*. There seem to be two branches of each house, so that when a king dies, it will be the turn of his eldest son to become king, after five kings have reigned and died. There have been other royal houses, but they have lost their

[1]) "king" is in Shilluk *rịḭ* or *ryḭ*; in older literature the word "bondu" is given as the Shilluk name for king. By Europeans the king is commonly called mek, which is a contraction of the Arab malik.

3:Westermann E-5 (1910) 1912 FJ23 Shilluk FJ23

but: *ŧal ɛ bɪ̃ŋɛ* the boy is coming *obwoŧ ɛ kɛɲɛ* the stranger is going. 193*

Sometimes the subjective noun is placed at the head, the corresponding subjective pronoun following the verb:

ɟɪ̃ɪ̃ŋ kɛŧ à ɟwɛ́ a man, when he dies: when a man dies.

8. Verbs who have instead of the second consonant a semivowel.

a) *y*. No *i* is added in the Perfect. The *y* unites with the preceding vowel to a diphthong: *teyɛ* to pierce, perfect *toi*.

b) *w*. Here likewise generally no *i* is added: *ɟɛwɛ* to die, perfect *ɟɪ̀u* (also *ɟɪ̀*). *ŋgɛwɛ* to trade, perfect *ŋgɛu*, seldom *ŋgɛwí*.

Sometimes the subjective pronoun is employed twice, before and behind the verb; for the last not the suffixed, but the emphatic or the subjective form are used; note the changes of the tone!

yí rɪ̀ gwɛ̀l yɪ̀n why [re] are you (so) thin?	*ɟ rɪ̀ gwɛ̀l ɲɛ̀n* why is he (so) thin?
gɟ́ rɪ̀ gwɛ̀l gɲɛ̀n why are they (so) thin?	*wú rɪ̀ gwɛ̀l ùn* why are you (pl.) (so) thin?
ɟ rɪ̀ kɛ́ɟɛ́ why did he go?	*yí rɪ̀ kɛ́ɟɛ́* or: *kɛ́ɟɛ́í* why did you go?
wɛ́ bɪ̃n wɛ̀ we came	*wú rɪ̀ kɛ́ɟɛ́ùn* why did you go?
gɟ́ kɛ́ɟɛ́ gɟ́ kɛŧ where did they go?	*gɟ́ bɪ̃n gɟ́n* they came
	wú kɛ́ɟɛ́ wú kɛŧ where did you go?

If *kɛ́* "and" introduces a sentence, the subject, if a pronoun, always follows the verb, and the object always precedes the verb.

kɛ́ kyɛ̀ŧ gɟ̀jɛ́ and I struck the horse	*kɛ́ kyɛ̀ŧ gɟ̀jí* and you struck the horse.

Future.

The characteristic of the Future is the particle *ɲ́*,[1] which is placed before the verb. In most cases the present form of the verb is used, but not unfrequently that of the Perfect as well, but in this last case with a slight changing of tone: if the tone is low in the Perfect, it becomes middle in the Future.

yɛ́ ɲ́ chɔ̀mɛ̀ I shall eat	*wɛ́ ɲ́ chɔ̀mɛ̀* we shall eat
yɛ́ ɲ́, or *yɛ́ chɔ̀mɛ̀* you will eat	*wɛ́ chɔ̀mɛ̀* you will eat
ɲ́ chɔ̀mɛ̀ he will eat	*gɟ́ ɲ́ chɔ̀mɛ̀* they will eat
yɛ́ ɲ́ ɛ̀ɟɟɪ́ I shall laugh	*wɛ́ ɲ́ kɛ́ɟɛ́* we shall go.

As the Present, so too the Future has a second form, with *dɛ̀* placed between pronoun and verb: *yɛ́ ɲ́ dɛ̀ chɔ̀mɛ̀* I shall eat. There may be (or at least may have been) a difference of meaning between the two forms, but I have found none.

Habitual.

The *Habitual* is formed by putting the auxiliary verb *ɛ́ɟ* "to use to" between subject and the Present form of the verb.

[1] In Masai the Future is formed by suffixing *u*. Hollis page 59.

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fetched by me, but they have refused. But now come and help me, and I shall give you part of the beans to eat." The cock went, (the hare) put the bag on the cock, and it carried it home. When they came near the house, it threw it down. The cock's back was bruised (from carrying the bag). The hare said, "What is to be done with the back of the cock?" He crushed leaves of a tree and placed them on the sore place of the cock's back. 539*

And there sprang up a large tree (on the sore place of the cock's back, some seeds having got into the wound by putting the leaves on it). The hare saw the tree was very high on the back of the cock. The tree bore fruit; when the fruit was seen by the hare, he said, "Dear me! by what (how) are they to be thrown down?" He took a stone and threw at them. The stone fell into the middle of a river and became an island.

The hare went to plant some vegetables (on the island), and he planted melon seeds. Then there came a traveller, he said, "Give me something to eat (the traveller saw the melons, which in the meantime had ripened)!" But the hare refused saying, "Cousin, I have come in this very moment (so I am not prepared to give you food)." The hare looked back; he saw there were many melons. The hare arose, he took a knife and split a melon. The knife went into the middle of the melon, the hare was perplexed, he said to himself, "Where has the knife gone?" Suddenly it (the knife) cut his (the hare's) head off. He (the hare) went into the melon and found there many people, who were alive. When he was tired, he came out; he found his head carrying firewood. He called it, "You head, come!" But the head refused. He called it again, but it refused. Then he struck it with the flat hand. The head came and returned to its place.[58]

[The Nubians have the same story; here, as in Shilluk, it forms part of a series of tales; only the part which coincides with the story in Shilluk is given here (translated from Leo Reinisch, Die Nuba-Sprache, Erster Teil, p. 232 ss). . . . The young man heaped up the eggs, squashed them, made a wind, and winnowed them, so that the wind blew away the egg-shells, and only the chickens were left. One of the chickens had a wound on its foot. They sent for the doctor, who said, "Take two ardeb of date-seeds, roast them and bind them on the wound, then it will heal. They did so. Now a date-tree grew out of the chicken's foot, it became large and bore fruit. When the fruit were ripe, a boy came and threw a stone at the tree; four fruit fell down. Thereupon the tree became angry, in its anger it fell down and formed an island. The owner of the island sowed sesamum on it; but afterwards he sowed melon-seeds. While they were still sowing, the melon-seeds germinated and grew large. Then a 171● 539*

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Turkish soldier came and asked the owner, "Give me one of the melons." The man replied, "They are not yet ripe." The soldier said, "If you don't give me one, I shall cut off your head." Then the man went, cut a melon and gave it to the soldier. This one took his knife and stabbed it into the melon; but the knife escaped into the belly of the melon. Then he drew his sword and stabbed into the melon, but the sword too escaped into the belly of the melon. The Turk became angry, pursued the owner of the melon, cut his head off and threw it away. The trunk of the man crept into the belly of the melon. But the head searched its trunk in vain. At last it went away into a barber's shop. Here he had his hair shaved. In the meantime the man (the trunk) crept out of the melon and went away. When he came to the barber's shop, he found his head, took it, placed it on his neck and went his way.]

81. The Camel and the Donkey.

*539 *Jal mɛ̀kɛ e ya da amalɔ, gɛ́ kí adʒɛ̀ŋɔ, gɛ nɨ́ chɔ́k gɛ́ tyɛ̀tɛ̀ kɨ jam. De bogin nɨ́ chámè gén, dɛ gɨ́ gwɔ̀lɛ̀ gwɔ̀lɛ̀. Ka amalɔ ko: bɨ́h! Kɨne: adʒɛ̀ŋɔ! Ka adʒɛ̀ŋɔ yɛ̈́ɨ kɨne: é! Kɨne: wá chà ŋ̀! Kɨne: àwɔ́, wá chà ŋ̀. Amalɔ ko: kɛ́ɲ ɣ fárì wá, yu (yiɣ) yɛ̈́ɨ? Ka adʒɛ̀ŋɔ ko: àwɔ́! yá yɛ̈́ɨ. Ka e ko: fār wɔ!*

Ka gɛ kɛ́ɲɔ, gɛ́ chàtɛ̀; ka gɛ wiɟa kɛch malɔulɔu; ká màchɔ̀ ŋ̀tɛ̀ gén, é yà di nam, dí lūm gìr; ka gɛ ko: wa kɛ́ɲɔ̀ dí? Ka adʒɛ̀ŋɔ ko: kújà! Ka amalɔ ko: wa ɣ kwɛ̄ɲɨ́! Ka adʒɛ̀ŋɔ ko: wa kɨ mút?[50] Kɨne: é! Kɨne: wa fa mut, gik amalɔ. E ko: jwɔ̀k duɔ́ɲ! wa ɣ wiɟi wɔ̀k. Ka gɛ kɛta nam, ka adʒɛ̀ŋɔ kɛta bāɲɛ́, kɔ gɛ kwāɲɔ.

Ka gɛ wiɟi wɔ̀k, ka gɛ kɛta wɔ̀k; dɛ chuɲe gén mɛdo; muchɔ bɣ ɗāŋ, ká gɛ́ chàmɔ̀, ka gɛ nɨ́ butɔ. Dɣkɨ ka gɛ nɨ́ chāmɔ, ka nɨ́ yūɗè wɔ́u, ka gɛ nɨ́ bátɛ̀; kɨnau chɛ̄ kɨ chāɲɛ́. Ka adʒɛ̀ŋɔ chwēyɔ, ka amalɔ chwēyɔ; dɛ ŋ̀zte gén fa tádɛ̀r; ka gɛ nɨ́ mātɛ gɛt kɨ gɨ́; ka gɛ nɨ́ bɛ̀ŋɔ.

Ka adʒɛ̀ŋɔ kɔ̄bɔ kɨne: mɛ́ɟ! Kɨne: é! e kò: yi cha de gɲ̀gɔ̀ kɨ kɛch madɛch; e ko: wija mám; e ko: kɛ́ɲ de bɣ́ɲì yin, e ko: wá de ŋ̀u, gik adʒɛ̀ŋɔ. Amalɔ ko: yi fate dɛ́k? e ko: kwɛ̀ɲɔ ŋ̀dʒɔ̀ yín? e ko: fa kúchì yín? gik amalɔ. Ka gɛ bɛ̀dɛ chán àkyɛ̀lɛ̀; adʒɛ̀ŋɔ ko: mɛ́ɟ! — kɛ́ɲ chwɔlé amalɔ. Amalɔ ko: é! E ko: ya da ɲwɔ́l mɛ́ɟɛ̀ŋɛ́[60] kɨ wija, dɛ lɛ̀t ɟɛ́ɲ? Amalɔ ko: bɣ́h! ɲwɔl mɛɟɛ̀ŋɛ́[60] ga mɛ̄ ŋɔ?[61] Ká è kùdɛ̀. Ka gɛ ŋɛ̀ŋɔ, ká chɛ́ká kwɔ́f kɨne: mɛ́ɟ! Kɨne: é! E ko: mɔk ɲni e ɲwɛ̀ɲɔ̀ kɨ wija. Kɨne wíjí chaka wílɔ! Kúchì yin, kɛ́ɲ mak wa, ka wá nɨ́ pwót kí lɔ́ɟ? Dɛ yí chwɛ̀, dɛ da mó kɨmí. Ka e ko: arú, yá kùt. Ka e kudɔ. Dɣkɨ ka e ko: ya ɗálè chám yí gik ɲni, wíjá ɲwɛ̀ɲɔ̀. Amalɔ ko: bɣ́h! Ko: yik chwaki ɣ lɟnè yàu yí tyɛ̀ɲ kɛ́llé nam. E ko: á, wéí ywɛ́ɲa, gik adʒɛ̀ŋɔ; kɨ ɲwɔl mɛ́ɟɛ̀ŋɛ́[62] yau! Ka amalɔ ko: é, ywɛ́ɲí! ya fɛt kɨ yá, ŋ̀ ɣ bí kɨfa wá bɛ̀ɲɛ́, fate kɨfa yá kɛ̀tà.

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[9] The "yin" lays stress on the subject: why are *you* so thin (while the hare is fat)?
[10] *bjâ*, an expression used most frequently, cannot be well translated into English; it may mean any degree and shade of surprise, very often, as here, angry surprise.
[11] *Dyki* is not only "to-morrow", but simply "the next day".
[12] Instead of "*chwéch yi ín*".
[13] from *yi g*.
[14] *kaf*, more frequently *kgf*, the stem for "go".
[15] The hare wanted the hyena to believe that he, the hare, was being punished for his misdoings, and that the hyena, by coming near, might get a thrashing as well.
[16] instead of *yi*.
[17] In order that.
[18] more frequently: *wiiǫ* to arrive.
[19] "beside" = since.
[20] vocative!
[21] commonly: *kudǫ*; here the ǫ is long, as if to express the lengthened waiting for an answer — but all remained silent.
[22] Is he, being great, not entitled to eat you?
[23] To prevent the monkey from secretly running away.
[24] Alluding to some old affair, for which he intended to take revenge now.
[25] Twice the hare escapes the threatened revenge of the hyena, and even injures him severely anew, taking advantage of the greediness of the latter.
The same story is told in Marno, Reisen im Gebiet des Blauen und Weißen Nil, under „Geschichten aus dem Süden."
[26] the lion, his spear is still with me.
[27] *fa* and *faf* are most frequently used in this way, to emphasize a sentence: is it not so? that is: it surely is so.
[28] vocative! the last vowel with high tone.
[29] "why remains my spear not cooked (forged) by *you*?"
[30] see Grammar.
[31] "a saddle which is not": a saddle of somebody who is not present, somebody's saddle, I do not know whose.
[32] vocative!
[33] instead of: *makε yi ún*.
[34] one would expect: *yiepε wun*.
[35] one would expect: *yiepε pyn*.
[36] "You are finished with your mark". "Whenever I meet you again, I shall recognise you and take revenge." This story of the lion and the fox is also told in Marno, l. c. The Hottentots have it likewise.
[37] He expected the fox to come too, and so to find an opportunity for finishing him.
[38] *pé-ki* . . . . an expression of assertion, the literal meaning is not clear; "I with my children?"
[39] from *liǫ!*
[40] The fish-spear is a wizard, because "he sees the fish in the water"; he is thrown into the water at hap-hazard, and yet hits the fish.
[41] In dancing the girl selects her companion, not the man.
[42] The story seems to have some mythological relation.
[43] from *dyak!*
[44] "and them (the contents) smeared he".
[45] goats are eaten they (by) whom?
[46] a curse; its literal meaning not clear.
[47] "the hare went, he (to) his place".
[48] "he was in difficulty with a place of his going out."
[49] and the fish, and (he) was asked.
[50] In many cases like this the meaning of *chεm* can hardly by rendered.
[51] abstain from electing her! *y* is used here because the act of election lies in the future.
[52] the people ask: "whom shall we elect?" (one among them exclaims), "elect the crow!"
[53] generally the *lwak*, the "cow house", is the place where strangers pass the night.

LEGAL PROCEDURE

671 According to Hofmayr, Shilluk law "...is a law of tradition based on decisions of Nyikang and of previous kings."(1) He maintains that justice is very arbitrary and depends much on individual interpretation and custom. 692 The settlement chief has a court to which are brought cases which the *gol* leaders and the hamlet headmen feel unable to settle or which are too serious for them to judge. The accuser and accused appear before the settlement chief and the headman is often called as witness, while the elders assist. In major disputes, or if the settlement chief's decision is appealed against, the matter is brought before the *reth*. Hofmayr further states that important cases are treated by him and his judgement is final.(2)

681 In the courts compensation is awarded for homicide and fines in cattle or goats, according to the seriousness of the offence, are imposed for disputing the *reth*'s judgement, refusing to pay royal tribute, wounding a royal prince or princess, for theft, robbery and sexual offences. Apart from minor offences it would appear that offenders were brought to court and tried, not so much for private wrongs as for public delicts or crimes coming under the general category of breaking the *reth*'s peace, disputing the *reth*'s judgement, breaking the *reth*'s and Nyikang's laws.

643 692 [676] [627] Information suggests that in practice in the past the *reth*'s judicial authority was by no means undisputed. Hofmayr maintains that an order or judgement of the *reth*'s court was executed by the *reth*'s bodyguard, which consisted of a number of youths who followed the king everywhere. According to the same authority "blood revenge is well known among the Shilluk and feuds do exist between persons, between families and also between villages."(3) The fine for homicide is 10 head of cattle; formerly a girl was taken instead of cattle. [680] According to both Seligman and Hofmayr, the *reth* kept the cattle but might give two or three cows to the family of the deceased as compensation. This practice is comparable to similar legal procedures in communities in which feuds still flourish and the central authority does not exercise very extensive political powers.

628 643 692 Intervention in a serious feud between two districts probably took the form of the *reth* supporting one side against the other, and self-help, sometimes back by the *reth*'s intervention, was possibly the means of obtaining compensation and settling disputes which were not willingly submitted by the two quarrelling parties to arbitration and the judgement of a court. On the other hand, a description of the settlement of a feud by Oyler suggests that the role of the *reth* is essentially that of peacemaker, but that his functions can only be exercised if the disputants are willing to make peace.(4) [711] In this respect it would appear that the role of the *reth* is comparable to that of other ritual and peacemaking functionaries among the Nilotes, such as the leopard-skin chief of the Nuer and the Dinka spear-chiefs.

(1) Hofmayr, *Die Schilluk*, 1925, p.157.
(2) *Ibid.*
(3) *Ibid.*, p.162.
(4) Oyler, *S.N.R.* 1920, Vol.III, No.3, pp.296-98.

643 of the newly elected *reth* Nyikang and Dak are brought in procession from
778 Akurwa to Fashoda with their priests to test the new *reth*.

The conventional opposition between northern and southern divisions
182 now becomes apparent. The forces of the southern province flock to sup-
631 port the *reth*-elect and wait at Debalo settlement while Nyikang and his
643 supporters assemble at Adodo. The two armies then march to Khor Arepajur
541 and a mock battle takes place with millet stalks instead of spears.
Nyikang captures the *reth*-elect and there is a procession to the shrine
of Nyikang at Fashoda. Certain ceremonies of a mystic nature follow,
which are not participated in by the whole people, as are the procession
and battle. The image of Nyikang is placed on the royal stool, then the
king-elect sits on it and the spirit of Nyikang is believed to enter into
him, and possess him causing him to tremble.

A few days later a second mock battle occurs between the king's sup-
porters and Nyikang. The *reth* is victorious, for Nyikang has taken
possession of him and the effigy is now merely the symbol of Nyikang and
no longer the repository of his spirit. . In a final ceremony all the im-
portant chiefs and elders from all parts of Shillukland declare their
allegiance to the new *reth*.

182 The installation ceremonies of the *reth* and the traditions relating
643 to Nyikang show how, at every point, the structure and political organisa-
tion of the Shilluk people is confirmed by ritual and by mystic symbols.

643 All rebellions and revolts are directed against the king in person
669 and not against the kingship itself. The unity of the Shilluk is such
that the various segments of the country can be represented by the common
symbol of the *reth*-ship. Nevertheless, there are powerful tendencies
towards fission within the structure. As has been shown, the kingship is
the subject of competition on the part of the *nyireth* candidates supported
by chiefs and forces available from their territories.

● 711 Of all the Nilotic groups for which there is any considerable informa-
tion, the Shilluk alone form a single political unit, or nation, as
opposed to a number of separate tribes or tribal groups which are cultur-
ally similar but not politically unified. At the same time, the princi-
ples of their political structure and social organisation are similar in
many respects to those of the rest of the Nilotes, in particular the Anuak.

AGE SETS

114 Apart from a brief mention by Hofmayr, the only information concerning
the Shilluk age sets is contained in Howell's article in *Sudan Notes and
Records*, 1941, Vol.XXIV.

56 On reaching puberty a Shilluk boy is initiated into the age-set
882 organisation. A Shilluk age set is known as *rio* and is made up of three
or more subdivisions each consisting of men of approximately the same age,
who have herded cattle together as boys. A man always remains in the sub-
division into which he has been initiated, but a periodical shuffling of
the subdivisions alters their respective positions in an age set and the
whole age-set organisation. A reorganisation of the groups of subdivisions

532 643 836 would marry women from lineage A as this would prevent the correct working of the relationship of avoidance and would confuse the situation. Each lineage therefore develops a tendency to marry women of some other specific lineage,(1) but this is a traditional convention only and not compulsory.

In addition to the ordinary *ora* relationship between two lineages it is dangerous for a man to have sexual relations with a member of a lineage which is *ora* in the second degree. B, C and D may have an *ora* relationship, through customary intermarriage, with other lineages, E, F, G and H. If a man of lineage A seduced a girl of lineage E then all the men of lineage B would be offended, since they regard marriage with girls of E as their prerogative, and there is an *ora* relationship between the two lineages as there is through A and B. *Dwolo* sickness would result from the offence in the same way as if a man had relations with a woman who was a blood relation.

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Terminology

601 Pumphrey gives a list of Shilluk kinship terms,(2) among which may be noted the absence of any single word for brother, such a kinsman being described as father's son or mother's son. The Shilluk kinship terms used to describe members of the immediate family are extended to others of the same generation, and from this descriptive terminology a classificatory system is formed.

RITUAL AND OTHER CULTURAL FEATURES

771 There are three major aspects of Shilluk belief and ritual; the recognition and worship of Juok, the cult of Nyikang and the kings in whom he has been reincarnated, and the cult of the ancestral spirits. In addition there are less important beliefs such as the belief in the spirits of the bush and river.

JUOK

776 The concept of Juok is found in many of the Nilotic tribal groups although beliefs concerning it vary. Among the Shilluk Juok refers to a 771 spirit which is universal, formless and invisible like the air. Juok is above Nyikang and man though he is approached principally through Nyikang. The Shilluk perform sacrifices to Nyikang which cause him to move Juok to 782 send rain, to prevent misfortune, remove sickness and so forth. Juok is so linked to Nyikang that he is seldom approached in prayer without mention of the latter as intercessor. Juok is vaguely associated with the firmament and is recognised as creator though he is believed to show little interest in men owing to his greatness which is so far above them.

Hofmayr(3) states that the Shilluk put adjectives to the word Juok in order to bring out one or other of his attributes:

(1) Pumphrey, *S.N.R.* 1941, Vol.XXIV, p.30. (2) *Ibid.*, pp.37-9.
(3) Hofmayr, *Die Schilluk*, 1925, pp.186-7 and p.193.

5:Lienhardt E-4 (no date) 1954 FJ23 Shilluk FJ23

THE SHILLUK OF THE UPPER NILE

By GODFREY LIENHARDT

THIS essay is based primarily on literary sources,[1] which contain unusually full references to the religious and cosmological ideas of the Shilluk. In places, I have reinterpreted earlier writings on the Shilluk in the light of my own knowledge of the related Dinka, and of other Nilotic studies. The concepts of these Nilotic peoples are alike in many ways, and the Shilluk and Dinka have for long been considered as related, from the point of view of anthropological theory, by the presence among them both of different forms of the institution of 'divine kingship', studied by Frazer and Seligman.[2] Upon this institution much of their interpretation of the universe and of their own place in it depend.

Lack of definition and dogma in their religion and cosmology makes it possible for Nilotic peoples to accept many different versions of their mythology and history, and also permits some syncretism of belief. I do not consider here speculations about the possible influences of ancient Egypt, the Fung, Islam, or the early monophysite Christianity of the Sudan, on Shilluk belief.[3] It is, in fact, remarkable that contact with foreign peoples and ideas, over a long period, should have left so little mark on Shilluk thought. Some of the stories which Hofmayr[4] attributes to Christian influence are widely known among other Nilotic peoples and elsewhere, in places farther removed from probable contact with Christianity. Lack of formal definition of beliefs and notions about the universe also makes the study of Shilluk cosmology necessarily a study based on inferences from myths, hymns, and other texts, collected piecemeal from informants, none of whom can speak with any final authority. It is clear that Shilluk cosmology is not present to the mind of any one Shilluk as a single, orthodox system, abstracted from the narrative flow and imaginative detail of myth. Even one man may tell slightly different versions of the same story,[5] for the telling is

[1] References throughout are to the Shilluk bibliography appended, the dates being the dates of the publications cited. Some of the sources contain many texts in the Shilluk language, and where these are translated into a language other than English, I have given an English version after examining the Shilluk text. I should like to thank all writers on the Shilluk, upon whose observations this summary and representation entirely depend. Their publications, however, are not all easily accessible, nor are they specifically concerned with the analysis of the Shilluk ideas here studied. This must be my excuse for writing about a people of great ethnological interest and importance, who have already been described in detail by writers who have known them well.

[2] J. G. Frazer, 1911. C. G. Seligman, 1911, C. G. and B. Z. Seligman, 1932.

[3] Discussion of Shilluk contacts with some of these will be found in W. Hofmayr, 1925, and D. Westermann, 1912. For general cultural and conceptual similarities between ancient Egypt and negro Africa, the reader may be referred to C. G. Seligman, 1934, and H. Frankfort, 1948, among others.

[4] 1925, pp. 193–6, the stories of a fall of man, and of a woman's bearing a god.

[5] D. S. Oyler, 1918 (i).

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173 originally came, was to the south of their present home, but whether south-west or south-east varies from one account to another. This homeland was 'at the end (or "head") of the earth,'[1] and near a great lake.[2] Apart from this, we hear only that in that land there was a king, called Okwa, and that he was the father of Duwat, Nyikang, and other sons. Also, there was then no death, for as people became old, they were trampled by cattle, and became infants again.[3] Accounts of this first land, which also represents the beginning of Shilluk historical time, are sparse and simple. This may be consistent with the fact that in this original land and time, the Shilluk suppose that they were not differentiated from others of the Luo-speaking group. Their accounts of this early period are like their other most general cosmological ideas, in showing little of the development and systematization which come from meditation and reflection; elaboration and detail appear in their myths with the emergence of Nyikang, and therefore with the beginning of the Shilluk royal house and the Shilluk nation. Of the time before that, they know only the little which has here been stated.

173 There are various accounts of the birth of Nyikang. In one, it is said
173 that he was the son of Okwa, who was the son of Omara, who came from heaven.[4] In another he is the son of Okwa, but Okwa traces descent through several forefathers to a great white or grey cow, which was created by God in the river.[5] Nyikang's mother, Nyakaya, was either a crocodile, or partly crocodile, and is now associated with the crocodile in Shilluk thought, though she is also a woman. In all versions of the story of Nyikang's ancestry, his descent is traced through his father to a man who came from heaven, or from a special creation of God in the form of a cow, and his mother is a creature of the river with the attributes of the crocodile. Nyakaya, the mother of Nyikang, represents in Shilluk thought the totality of riverain beings and phenomena, and offerings are made to her on the river bank, at the grassy spots where the crocodile emerges. She is also especially associated with birth and with new-born babies.[6] Seligman was told that 'unusual behaviour on the part of almost any land animal would lead the [825] Shilluk to look upon the creature as a temporary incarnation of Nyikang', while 'unusual behaviour on the part of a water animal would be put down to the animal incarnating the spirit of Nikaiya (Nyakai)'.[7]

173 Nyikang and his followers started their wanderings from their original home as a result of a quarrel between Nyikang and his half-brother, sometimes said to be his 'brother', Duwat.[8] They quarrelled about who should succeed their father, Okwa, as leader and king. Since Duwat was elected, Nyikang left with his faction. According to one story, he took the royal

[171] [1] Oyler, 1918 (i). This is also a common Dinka idea, though they say that this land was 'at the foot of the earth'. It has for them not only the suggestion of remoteness, but also of being the time and place from which their traditions start.

[2] M. E. C. Pumphrey, 1941.
[3] Oyler, 1918 (i).
[4] Westermann, 1912, p. 157.
[5] Ibid., pp. 155 ff., *et al.*
[6] Hofmayr, 1925, p. 159.
[7] C. G. Seligman, 1932, p. 86.
[8] Westermann, 1912, p. 159.

5:Lienhardt E-4 (no date) 1954 FJ23 Shilluk FJ23

a cow, for example. In a text given by Westermann[1] the hare is taught and saved by *juok*. The hare (or rabbit) is said by Hofmayr to be the favourite figure in many Shilluk animal stories, and the stories quoted by him and by Westermann show how clever, and how lucky, the hare is. A story given by Hofmayr[2] about the hare's eating young crocodiles appears in a different form in Westermann,[3] where this act is attributed to Dak, the clever son of Nyikang. The moral of these stories is that astuteness and trickery, like knowledge, pay, and it seems as though unusual intelligence, ingenuity, and luck associate those who possess them with the divine intelligence, and the success for which God is the Shilluk explanation. Hofmayr gives as a translation for the Shilluk expression *juoga tarr*, 'that which I have from the highest being, my soul, my lot, luck, my other self, is favourable to me'.[4] The large number of Shilluk riddles is an indication of the high value set on cleverness and ingenuity, and it is to be expected that these qualities, held up for admiration in their stories and in their daily life, should be ideally associated with Nyikang and their kings.

The kings, and all others inspired by *juok*, are sacred because they manifest divine energy and knowledge, and they do so by being strong, cunning, and successful, as well as by appearing to be in closer touch with the supra-human than are ordinary men. The signs of this closer communion are dreams and 'hysterical' possession, or at least some outward sign of contact with a superior power. Examples of behaviour showing this are numerous. In the installation ceremonies of 1943, when the king-elect was set on the sacred stool of Nyikang at a climax in the ceremony, we are told that 'the *reth* (king) was seized with a trembling fit at the critical moment, and certainly he appeared to be in a dazed condition immediately afterwards'.[5] This form of behaviour is a common sign of possession by a power greater than human among other Nilotic peoples. Though there was some reference in these ceremonies to the king as the source of justice, and to the ethical qualities necessary in a ruler, they were clearly distinct from the central religious significance of the ceremonies. So also, though we find many references in Shilluk texts to God as the helper of the poor and the final court of appeal in trouble, his activity in these respects is not to be taken as an indication that he is only or primarily an apotheosis of ethical virtue. Many of the hymns to Nyikang and God are laments that the land is being destroyed because they are not helping, and we are told that when their prayers are not answered, the Shilluk may curse Nyikang for not assisting them.[6] A Shilluk proverb says that 'God threads good and evil men on a single string', suggesting that, in some circumstances at least, God does not seem to reward virtue and punish vice.[7] In other texts he is shown as the ultimate sanction for customary ethical behaviour, as a helper, and as a

[1] 1912, p. 180.
[2] Op. cit., 155.
[3] Howell and Thomson, 1946, p. 62.
[4] Hofmayr, 1925, p. 376.
[5] 1925, p. 376.
[6] Op. cit., p. 193.
[7] Oyler, 1918 (ii), p. 285.

5:Lienhardt E-4 (no date) 1954 FJ23 Shilluk FJ23

643 781 theme of these ceremonies was the avoidance of Nyikang and a fear of his power, accompanied by the veiling of the objects particularly associated with him. The complexity of this behaviour, particularly the 'fear and laughter', demands a more penetrating analysis than is possible here.

Conclusion

121 772 In such a brief account it has been possible to give only an outline of the cosmological ideas and social values of the Shilluk, and it has been inevitable also that these should have been somewhat over-formalized and systematized. Shilluk cosmological ideas are embedded in belief and action. They are not systematized by the people themselves, who reveal them only by their sayings and their behaviour. It is impossible to give an account of them without abstracting them from the reality, formulating them as ideas with a certain degree of coherence between them, and thus constructing a system which has no exact counterpart in the thought of the Shilluk themselves. Such an account is bound to show, here and there, that effort to achieve consistency which is part of our tradition, but not of theirs. I have 776 tried to show how the order known to the Shilluk is dependent upon their belief in a mythical hero and king, Nyikang, who is the figure to which [182 643] every subsequent Shilluk king is assimilated in thought. This assimilation is enacted in the ritual for the installation of each new king. Nyikang is an analogue, for the Shilluk, of the power which created and maintains the universe. That power, which I have been content to call God, is of greater importance to the Shilluk as a source of vitality, both intellectual and physical, than as a being with ethical attributes. Nyikang and the kings similarly belong not to an ethical, but to a metaphysical system. Shilluk religion is [182 643] concerned with the maintenance, as a divine order, of the order in which they live and have always lived. The kings, and Nyikang, are held to represent that order, which without them would not exist. The death of a king 643 and the installation of his successor, are therefore of critical importance in the Shilluk kingdom, and that importance is marked by ceremonies of great imaginative and symbolic richness. The importance and uniqueness of the king is similarly emphasized by the existence of a special vocabulary used of him, and by various special observances which may be studied in the literature. They mark him off from ordinary men, no less than his titles—'first-born of God', 'child of God', 'reflection of the ancestors', 'master of the world', 'last-born of God', and others.[1] Any particular king, however, is also, as an individual human being, to some degree unequal to the office. The Shilluk have no superstitious reverence for the individual human king, and many kings have been removed by violent death when, for one reason or another, their people have tired of them. It is, perhaps, chiefly after the climax of the installation ceremonies that the dignity of the office, and the human nature

[171] [1] Hofmayr, 1925, p. 150. The 'first-born' and the 'last-born' have special status, at least in Dinka thought, because the first 'opens the way' for the others, while the other 'closes the way'. They are, so to speak, the alpha and omega of generation.

Some Observations of a Fieldtrip among the Shilluk

Mohamed Riad

131 The Shilluk occupy a country that extends from 10°45' N. to 9°15' latitude. Particularly the west bank of the WHITE NILE from about 50 kilometers north of Kaka to approximately 50 kilometers east of Lake No. There is also a Shilluk pocket within Northern Dinkaland. Thus they occupy the right bank of the White Nile from near Kodok to the confluence of the Sobat. They also extend some 60 kilometers up the Sobat river, mainly on its northern bank.

361 The Shilluk settlements, if they can be called villages, are situated from about half a kilometer to a kilometer off the river bank giving the impression of beads hung on a string(1). Also, on the banks of the khors i.e. seasonal streams which discharge into the Nile, rising from the west or east and sloping toward the Nile, Shilluk settlements are to be found. The breadth of the Shilluk land does not exceed a five hour march from the banks of the river(2) and there is a no-man's land which stretches back to the west [311] till the Nuba-hills. This is used as a dry season (winter) grazing land by both Shilluk and nomad Bogara Arabs, but the Shilluk do not, as a rule, pasture their cattle so far to the west. This area is quite well-known only in those areas where roads go up from the river banks to the Nuba mountains. 133 The hydrology of this area is not known although some khors intersect it with courses estimated as parallel to the Nile and joining other khors to discharge seasonal waters into the Nile north of Kaka.

[171 The Nile is the main waterway in the Shilluk land and because the Shilluk have a comparatively long water front they are the most skilled 228] fishermen of the Nilotic group. The most important khor is one called Collo which takes its waters from the Nile, or more precisely from the bank-swamps against Malakal and runs parallel to the Nile separated from it only by a stretch of comparatively high bank, one to three kilometers broad, and then discharges again in the Nile south of Kodok. Again there is another khor called khor Arepejar which rises from the west and discharges into the Collo. (3) This khor is of almost no hydrological importance, but of a great significance in the realm of Shilluk cosmology and spiritual thinking. This khor is [79 the boundary between the two religious provinces into which Shillukland is 63] divided. On its banks one of the important rites of king installation takes place.

132 The Shilluk country is more or less a flat land covered with Savannah grass and with occasional clusters of trees, mainly along river 133 and khor banks. The most famous tree is the Dolob(Borrassus aethiopum) 137 which grows in beautiful groves on the Nile banks. The rainy season begins in May but occasional showers heralding the rains occur at the end of March and early April. The dry season begins near the end of October. Rainfall is heaviest in the south. Here is the mean annual rainfall at our stations:-

Pangak	(9°53'N)	1187 mm
Malakal	(9°32')	737 mm
Kodok	(9°55')	682 mm
Renk	(11°45')	506 mm

The Shilluk, owing to their geographical conditions, are more sedentary than the other Nilotic tribes, and there is no great transhumance as among the others. They also are more intent on cultivation, Dura (sorghum vulgare) being the chief crop. They use a shifting cultivation technique; a certain plot of land is cultivated from four to six years and then left for ten to twelve years. An agricultural authority (5) on the Soudan said that "cotton as a cash crop began in 1923. But the Shilluk as well as the other Nilotes, are poor cultivators. The biggest crop of cotton in a twenty year period was 760 tons of raw cotton, mainly from the Shilluk land. It was abandoned and sesame began to take on importance because the country consumes a fairly large amount of sesame oil."

According to the latest census available there are about 80, 000 Shilluk.(6)

Anthropometrics

During my stay in the Shilluk land I have taken anthropometric measurements on forty persons - 34 men, 11 of whom are members of the Shilluk royal family, and 6 women, one of whom is also royal. The persons were all measured at Malakal Town, but they were from different parts of the Shillukland, covering the whole area from north to south. Naturally I have a greater percentage of people representing the central area, i.e. around Malakal, and the percentage decreases northwardly and southwardly. Here is a list of the villages and settlements to which my subjects belong:

Akurua, Nun, Fabin (Detwok district), Achop, Alol, Achag (north of Kodok), Kodok, Golbany, Lul, Nyingar, (near Lul) Padit (near eastern Aau), Kolo, Bouky (n.w. Malakal), Ogod-Butu (eastern bank), Pamath, Thrujok, Kwogo, Fokan, Nyin-yar, Burr, Tonga, Ator und Nyijok.

I have taken the following measurements following the points described and defined in "Notes and Queries in Anthropology." (7)
Head length and breadth , nose length and breadth, facial and upper facial heigths, stature and sitting heigth. On 8 of the men measured I recorded also the minimal frontal breadth and the bizygomatic breadth.

The tools I used were the sliding and spreading calibres, and the Anthropometer.

The results of my measurements are nearly identical with those of Professor Seligman (8) in both cephalic and facial indices and stature, but there is a considerable difference in the nasal index which I am not able to explain.

		C.I.	N.I.	F.I.	S.(cm)
"A"	Seligman (21)	71.3	93.9	83.2	177
	Riad (34)	71.6	85.5	84.5	177.2

From the distribution of the physical characters in different parts of the Shillukland - 12 of the men measured by us are from Gerr (northern Shilluk province), and 22 men are from Lunk (southern Shilluk province) - we got a very astonishing result; it revealed that the Shilluk are not a homogeneous people as far as cephalic index and stature are concerned.

The racial difference may be fully understood and explained by Shilluk mythology. Nyikang, the demigod and the Shilluk culture hero, came, with his followers, to the southern part of present Shillukland and erected his headquarters at Nyilual, in Panyang district. When he proceeded northward to extend his boundary and to found his kingdom, he found the lands on either side of the Nile already inhabited. The aboriginal people are said to have been Nuba and Fung, or according to one authority (9) Dongolawys or Berabra. It seems to me that the Fungs were not really the inhabitants of the land, but more reasonably they were subduing the country, especially the part of it which lies on the right bank of the Nile. At any rate, Nykang conquered the present Shillukland in a peaceful way sometimes, and by means of force in in those instances where people showed resistance. The people either fled to the Nuba mountains and Sennar, or stayed in the land. Those who stayed were not reduced to slaves, but were accepted as Shilluk citizens and thus incorporated into the Shilluk nation.

Now the high cephalic index in the north may be attributed to a Nuba influence, more specifically to an eastern Nuba influence, or to a mesaticephalic influence from the Dar Fung Hills.

There is no other nearby area of mesaticephals than the eastern Nuba Hills. The next nearest area of mesaticephals is the Dar Fung mountains which lie within a range of between 200 to 400 kilometers northeast of the Shilluk land across the Nile. Here first are some anthropometric measurements from both mesaticephalic areas:

	C.I.	N.I.	F.I.	U.F.I.	S.(cm)
Nuba Hills: (10)					
Togale (7)	79	103	76.5	44.5	
Ilyry & Lafofa(32)	76.42	92.26	82.26	46.19	173.82
Lemon (8)	78.88	95.63			
Tira-el Akhdar, Mandi, Kandroma					
Khoma (7)	77.75	92.37	82.42	45.55	169.8
Nuba women (11)	76.30	94.03	83.48	48.23	157.2
Ilyry (10)	75.15	94.4			
Dar Fung Hills: (11)					
Furg (5)	74.6	83.3	84.9	46.5	170
Ingassana (12)	73.1	90.4	82.8	44.3	173
Khoma (7)	73.4	96.3	82.0	45.9	
Uduk (9)	77.4	97.0	77.9	43.7	167
Burun (30)	75.2	101.5	83.1	44.4	170
Jum Jum (17)	75.5				
Koban (43)	79.1	96.0	84.0	47.0	176

Hypothetically we can say that these two areas in the past formed a mesaticephalic belt, now separated through the migration of the dolicephalic Dinka of the White Nile, on the eastern bank, and the Shilluk and Baggara Arabs on the western bank of the Nile.

Both areas, within themselves, do not form racial unities, but are more or less refuge areas. Thus they are merely conglomerations of different physical and cultural types which have fled from the plains in front of any conquest. But the most important feature that combines them (not politically, but from our scientific standpoint) is their mesaticephalic character.

Other body marks are also made at will and have no religious significance. The people say that it is nice to have those marks on the body, especially for young men and women and for dancing festivals. These marks take many forms - scorpion, tiger, geometrical designs, or even military signs, especially that of a sergeant on the upper arm.

Clothes.

Hofmayer states that "... So gross die Aufmerksamkeit und Vorliebe für Putz und Schmuck, so gering die Sorge für die Kleider."(18) He also writes: " Während der Mann im Shilluklande fast immer ohne Kleidung ging, stand es mit dem Weibe in dieser Hinsicht anders." (19) and " Langsam beginnen nun auch unter diesem Volke, seitdem christliche Kultur und Religion ins Land gezogen ist, Anzeichen einer besseren Zeit sich einzustellen. Bereits kann man die Nacktheit der Shilluk von diesem Stande als verschwunden betrachten." (20.) During my sojourn among the Shilluk I noticed one great difference among the Shilluk and the other Nilotic tribes , this being that the Shilluk were always dressed -at towns as well as in their own villages, children being the only exception - and others were not. Their dress is called in their own tongue LAUO, and consists of a piece of cloth of any colour, but mainly white. The LAUO is placed round the body, so that it reaches down to the knees and is knotted in a special way on the left shoulder by men (21) and the right shoulder by women. Women also wear some other underclothing which is well described by Hofmeyer.(22) But the question is that theLAUO is a standard Shilluk dress; it is neither European nor Arabic from the northern Sudan. It standsunique and the Nuer or the Dinka, who are supposed to have some kinship with the Shilluk, go, men and women , quite naked. Hofmayer's statement, as quoted above, was written in 1925. It is quite impossible that the Shilluk have altered one of the most important habits over a period of 30 or 50 years, taking into account the extremely conservative spirit which all authors attribute to the Shilluk and other Nilotes. Secondly, if the Shilluk men began to dress due to the introduction of Christian culture and religion, they would have adopted the European dress, (23) rather than invent a new type of dress foreign to both missionaries and Moslems. Or, if this were due to Christian culture, why did it not produce the same effect among the Dinka and Nuer, among whom comparatively more missionary work has been done than among the Shilluk ? Hofmayer contradicts himself in the same book. Cal, the second Shilluk king, who lived about 1580 A.D., before he died, washed himself, and " Nach vollendeter Waschung kleidete Cal sich an.." (24). This means that the Shilluk used to dress themselves from the beginning of their known history.

I have also no knowledge of a society in which the differences between the two sexes go, or went, as far as that which we could understand from Hofmayer's description, i.e. men go naked while women have a complicated dress system composed of two pieces for the unmarried and of three pieces for the married.

There is also a traditional ceremony of importance in the Shilluk political organisation. Every new chief of a settlement, which is a combined group of lineage hamlets, has to be confirmed in his post by the king. This takes the form of investing the new chief with a LAUO with the king "personally knotting this robe over the jago's (chief) shoulder" (25). In a similar manner, the chief of a hamlet (a lineage group, homesteads in a settlement) may be invested with a LAUO "directly from the king, or from the settlement) may be

[18] "such great attention and predilection for dress and ornamentation, so little care for the children"

[19] " While the men in Shilluk country almost always went without clothing, the women behaved differently in this respect."

[20] Slowly in the beginning, but since that time Christian culture and religion has also penetrated among these people, A sign that a better time is coming. Already one can see that the nakedness of the Shilluk is disappearing from this country."

29/ invested with a LAUO, " directly from the King, or from the settlement chief." (26) This ceremony shows clearly that the LAUO plays a symbolic role in the 62/ Shilluk political institutions. (27) Those institutions are more or less matters 643 of tradition , and traditions are rarely changed in a conservative society.

29/ I have dwelt at length upon this problem, not only to criticize Hofmayer, but mainly to direct attention to one of the most important cultural characteristics of the Shilluks, in comparison with other Nilotic groups, and to show that this is not a newly acquired custom, but has deep roots in the past that can be explained by cultural contact or diffusion that affected only the Shilluk.

Notes.

113 (1) Seligman, C.G. & B. Z.: Pagan Tribes of the Nilotic Sudan. London 1932 P.40
(2) Hofmayer, W., Die Shilluk, Wien 1925. p 247.
[63] (3) The word means the "meeting-place of the people".
(4) Tothill, J.D., Agriculture in the Sudan. London 1948. p.815
(5) Ibid, pp. 820/821
(6) Ibid, p. 812
(7) Seligman, B. Notes and Queries in Anthropology, London.
(8) " C.G., Pagan Tribes of the Nilotic Sudan, London 1932, p 13
(9) Hofmayer W., Die Shilluk. Wien 1925. p 19
(10) Seligman , C.G., Journal of the Royal Anthropological Institute, No 11 London 1910, pp. 516/517
The figures in brackets indicate the number of persons measured.
(11) Seligamn, C.G., Pagan Tribes of the Nilotic Sudan. London 1932, p. 418
(12) see above, Table "C" No A 4, and A 1, have three lines.
(13) Butt A., 1952, p 28
(14) see above, table "C"
(15) see above , table "C", card No B 3, he was the son of king Yor, who adopted the name of Omar, and converted to Islam.
(16) Seligman C.G., Pagan Tribes of the Nilotic Sudan. London 1932, p 49
(17) Butt, A., 1952, p 28
(18) Hofmayer, W., Die Shilluk, Wien 1925. p 344
(19) Ibid, p. 345
(20) Ibid, p. 345
[114] (21) This may be explained by the wish to let the right arm always free to throw spears or anything else. Also Seligman (1932, p 43) erred when he said that " the inhabitants of a village, Pathour, mark a scorpionseveral inches in length... on the shoulder - left for men and right for women- so that it is not hidden by the shoulder cloth."
(22) Hofmayer, W., 1925, p 345/346
[m 097] (23) This is the case I have observed; the Shilluk who comes under the influence of missions or who was converted to Christianity uses European shorts and shirts, and the Shilluk who was converted to Islam wears the usual Arab white dress, with a turban.
(24) Hofmayer, W., 1925. p 39
(25) Butt, A., The Nilotes of the Anglo-Egyptian Sudan and Uganda, London 1925. P. 50
(26) Ibid, p 50
[171] (27) There is a similar ceremony among the Bung of investing the new chiefs with a head dress.

7:Tucker E-5 (1929-1933) 1933 FJ23 Shilluk FJ23
Acholi FK4
Lotuko FJ17

S 524 516

24. *Hoopoe.*—The most clever animal caricature I have seen was among the Shilluk. One boy crouches down and is entirely muffled in clothes. Over his head, from front to back, he holds a stick, grasping it with both hands just in front of his forehead. The stick is also covered with a cloth, and the front end tied with string, so that the crouching figure looks like some great bird with a long bill. (Fig. 4, Pl. XVII.)

First movement: The bird solemnly nods its head, while all sing: —

S 524 533 539

Second movement: The song-leader sings something that sounds like: —

At the word "Turns," which is emphasized and drawn out, the bird shews its long beak round to one side, giving it a most inquisitive look.

Third movement: The song-leader shouts "Luku-luku-luku!" The bird at once pecks rapidly on the ground.

S 524 [825]

This is a real nature study. The bird here caricatured is known as the "Hoopoe"—a harmless little bird, with an air of stupid solemnity, and the three movements described above are characteristic. No one who has seen the bird could fail to recognize it in the Boys' game.

25. *Canoe.*—The boys sit in a line, some dozen or so of them, each with his feet on either side of the boy in front, as though tobogganing. They sing, rocking gently from side to side: —

S [533 539]

Suddenly the song-leader shouts "The boat is sinking! the boat is sinking!" With a concerted cry of "Heigh!" the whole line heels over on to one side. They recover, and heel over on to the other side. They recover, and heel over backwards; after which the boat resumes its interrupted journey. (Fig. 5, Pl. XVII.)

S [177] A L 524 A 533 539

Strangely enough, I have met with a similar game among the Acholi and Latuko, although both are inland tribes. Among the Acholi the boys sit one behind the other, as in the Shilluk version, while the song-leader walks round with a strong stick in his hand. At a given moment he places the stick against the shoulders of the squatting boys and sings: —

8:Howell E-4,5 (1937, 1948) 1953 FJ23 Shilluk FJ23

in the courts are of a kind which in the past were mere matters of convention and usage and could not be defined as law even in the most extended definition of that term. The tendency is for the most intimate personal relationships to be governed by legal processes. This is a feature of the Nilotic world under the influence of modern administration which, while present among the Shilluk, is even more marked among Nuer and Dinka. There is a danger in this, because intervention in almost every sphere of human activity may tend to inhibit the normal readjustments which might otherwise naturally emerge to meet changing conditions. It is therefore all the more necessary to record something of present practice for comparison in later years.

The vast majority of cases which appear before the courts concern kinship obligations, marital relationships and the violation of rights in women. This article is therefore largely a description of the normal processes of marriage: the payment and distribution of bridewealth, divorce, and the infringement of legal rights in women. It is also in the nature of a commentary on previous articles published by Mr. M. E. C. Pumphrey and myself[1] on the subject of kinship and social organization among the Shilluk. From time to time reference is made to Nuer and Dinka institutions by way of comparison.[2] A few examples of actual disputes as heard and recorded in the Shilluk Courts are given in the text.

Shilluk Social Structure

Shilluk society is divided into 'provinces', 'divisions' (*lak*), and 'settlements' (*padh*). These are territorial and political segments, but it is really only the settlement which has any permanent political significance. Each settlement has a common territory, the boundaries of which run at approximately right angles to the river. Such territory includes a section of the highland ridge which runs roughly parallel to the Nile and on which the permanent dwelling-houses and cattle-byres are built; a section of the river front (*toic*) which provides green grazing for the cattle when the river drops, and finally a more extensive section of the hinterland (*wak*) which is subjected to varying degrees of rain-flooding during the wet season but is dry and waterless for the rest of the year. Each type of land is essential for pastoral and agricultural activities according to the season, and the territorial segmentation of Shilluk country could not be arranged otherwise.

A settlement is an economic, political, and social unit, but is not a kinship unit since it contains representative lineages of several of the many Shilluk clans. Within the settlement there is, however, a tendency—not always effective for purely topographical reasons—for each lineage to occupy its own 'village'. Each village (*pac*) is made up of a number of 'hamlets' (also *pac*: pl. *myer*) which comprise several domestic units (*gol*), each such unit consisting of a group of dwelling-huts (*ot*) occupied by a man, his wives, and children. The village is therefore also a kinship unit and, as a general rule, the closer the territorial proximity, the closer the kinship relationship. Clans (described by giving the name of the founder with the suffix *kwa*, meaning 'descendants of') are patrilineal descent groups which are theoretically exogamous, though separation in space, coupled with considerable distance of relationship within the kinship structure, may allow modifications of this rule. The

[1] *Sudan Notes and Records*, vol. xxiv, 1941.

[2] The reader may consult the works of Professor Evans-Pritchard on the Nuer. The Dinka are less well documented.

8:Howell E-4,5 (1937, 1948) 1953 FJ23 Shilluk FJ23

localized lineage within one settlement is certainly exogamous and there is also a bar to marriage into the maternal lineage. The clan, widely distributed in minor branches throughout Shilluk country, does not function as a corporate unit except at times of national festivals and then only in the sphere of ceremonial and ritual.

Marriage and Marriage Laws

As with the Nuer and Dinka, marriage among the Shilluk is achieved by the performance of recognized social procedures and the payment of bridewealth in the form of cattle, sheep, and goats. Nowadays, cash may be paid in addition to or in lieu of cattle, but not frequently and not in large sums.[1] It must be emphasized from the start that the Shilluk do not possess anything like the number of cattle owned by the Nuer and Dinka,[2] and for this reason alone the number of beasts paid as bridewealth is lower. Among the Nuer and Dinka the average ranges from fifteen to forty head of cattle according to the prevailing condition of the herds. Among the Shilluk the number is fixed at ten head, and although there have been times when few Shilluk were able to pay this number, it has been retained rigidly for several generations despite attempts by the Administration to reduce it. With sheep and goats, which are paid in addition but do not have the same significance, there is no such rigidity. The number of these seems to vary according to the attractions of the bride, though prevailing economic conditions doubtless play their part.

There is much to be found on the subject of marriage in the writings of Hofmayr, Westermann, and Seligman,[3] though many statements are misleading. This summary account of Shilluk marriage laws is based largely on the writings, both published and unpublished, of M. E. C. Pumphrey[4] who not only took into account previous literature but, as an administrator in Shilluk country for several years, had better opportunities to investigate the legal aspect of the subject. These are supplemented by my own direct observations.[5]

The Social Processes and Legality of Marriage

Pumphrey says:

> The marriage tie creates an obligation to pay cattle, but it is not created by or dependent upon such payment. To render a union a marriage only two things are essential. First there must be no positive barrier (such as known consanguinity between the parties . . .) and secondly there must be an offer and an acceptance. The offer and acceptance are symbolised by the man offering the woman's *got*[6] a sheep (*dyel dhok*). Acceptance of this sheep signifies acceptance of the suitor. The marriage is then complete.[7]

This transaction, which is limited to the immediate family of the parties to the marriage, is followed by *tieng mogho* (the brewing of beer) and a wedding dance (*mogho thiek*) to which many persons are invited and which therefore serves to make the union widely known. It is not, however, strictly correct to say that the marriage is,

[1] The tendency to use cash in lieu of cattle is apparently increasing.

[2] Ratio of human to cattle population: Shilluk 1:0·25; Nuer 1:2·3 (highest recorded).

[3] See Bibliography of the Shilluk, given in a previous article (*Africa*, xxii. 2).

[4] Pumphrey, 'The Shilluk Tribe', *S.N.R.*, vol. xxiv, 1941.

[5] Based on field work carried out in 1937 and on an investigation and analysis of the marriages of one Shilluk lineage carried out in 1948. The results are to be published later.

[6] Family group and legal guardians.

[7] Pumphrey, op. cit., p. 23.

8:Howell E-4,5 (1937, 1948) 1953 FJ23 Shilluk FJ23

even at this stage, complete. The husband has not yet acquired full rights in his wife and does not do so until the cattle payments (*kany*) are at least substantially complete. It is, however, unlikely that the bride's kinsmen will consent to the *mogho thiek* unless they are satisfied with the payments.

Theoretically, the wife will not take up residence with her husband until these payments have been made in full and in any case not permanently until her first child has been born.[1] The fact that during this transitional stage, when the wife is still living with her family, adultery is regarded as a less serious offence (*kwor kwobo nion ajur*) than later when she is living with her husband (*kwor kwob cie dhano*), indicates that full legal rights in her have not yet passed to her husband. The girl is in fact only betrothed, though, as among the Nuer and Dinka, bethrothal carries with it a degree of legal union and certain rights. Though completion of cattle payments should coincide with change of residence, this is not often the case and frequently a man, tired of waiting and unable to find the final two or three head of cattle, elopes with his betrothed.[2]

Pumphrey also states:

Thus the marriage tie is complete as soon as the proffered sheep has been accepted, the cattle payments being in the nature of a concomitant transaction. Accordingly children born after the marriage tie is complete are legitimate, irrespective of a possible deficiency in cattle payments. The criterion of legitimacy, a question often in dispute, is not the sufficiency of cattle payments, but the acceptance or otherwise of the proffered sheep.

Ultimately, however, a man's rights in his wife and his children must depend on the payment of cattle. Analysis of disputes over marriage payments show that unless these are sufficient to satisfy permanently the demands of the wife's kinsmen, the union is unlikely to last. This does not mean that the ten head of cattle required are always paid in full, but those owing remain as a debt in the second generation.

Thus it seems safe to assume that the *mogho thiek* should be regarded as the ultimate ceremony which marks not only the change of residence of the bride, but also the final transference of legal rights in her to her husband. In fact this will usually coincide with the payment of at least an acceptable proportion of the bridewealth cattle.

The Distribution of Bridewealth

Pumphrey states that:

Professor Seligman was at pains to discover how the cattle were divided among the relatives of the wife, and especially what was the share of the maternal uncle. In fact, only in the case already described does he receive anything; i.e. when he claims from the bridewealth of his niece such cattle as are in arrears from the marriage of his sister.[3]

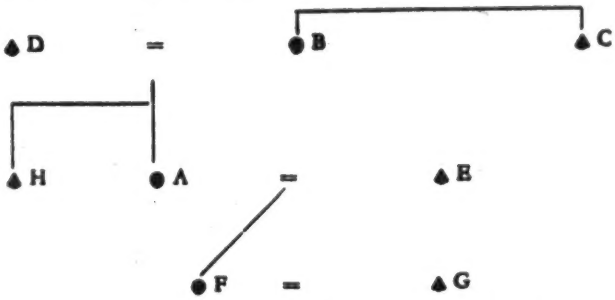
There is here, then, a very definite difference between the system of distribution of bridewealth among the Shilluk and that current among the Nuer and Dinka. Among the latter peoples, even in unions achieved by the transference of very small numbers of cattle, there must always be a definite portion set aside for the maternal kinsmen

[1] A further cow (over and above the ten head of cattle for bridewealth) is expected after the birth of the first child.

[2] This is not the same as the ceremonial and conventional abduction which forms part of the *mogho thiek* ceremonies. Pumphrey says: 'The *mogho thiek* . . . sometimes ends with the "violent" removal of the bride by the kinsmen of the bridegroom', op. cit., p. 28.

[3] Op. cit., pp. 28-29.

of the bride. Among the Shilluk no such obligation exists except in the form of a recognized debt, nowadays enforceable in the Courts, which is dependent on the number of cattle which remain outstanding in the bridewealth of the bride's mother.



Thus, in the diagram, from the bridewealth paid by *E* for *A*, no portion will be set aside for *C*, unless the full bridewealth of ten head of cattle was not paid by *D* on his marriage to *B*. Since few Shilluk can afford to hand over ten head of cattle at once, and because there have been periods when there were few cattle to pay, this is the source of much litigation in the courts. At the same time, such debts are not carried forward a further generation. Thus *C* could not claim cattle outstanding from *B*'s marriage on the marriage of *F*, though *H* might do so from the marriage of *A* to *E*.

The pattern of distribution among paternal kinsmen of the bride is relatively simple, which is perhaps natural when bridewealth stands at so low a figure. If alive, the bride's father's father should receive one cow (which would go to his sons by another wife); the bride's father's brothers (her paternal uncles) and even his half-brothers are also entitled to a share. Speaking in conventional terms only, Shilluk say that where a full brother (uterine) gets two cows, a half-brother only gets one. In fact none of them are likely to get anything more than a sheep or a goat, for if a man has many brothers and half-brothers there would be little or no cattle left for the bride's father or his sons. Distribution is usually dictated by circumstances prior to the marriage and the pattern of previous bridewealth distributions which create reciprocal rights. From an analysis of some fifty Shilluk marriages, my impression is that this form of distribution is quoted as a convention only and is rarely if ever followed now. As among other Nilotes, uterine and half-brothers within one domestic group are expected to marry in strict order of age. A man will generally expect to marry with the cattle brought in by the marriage of his younger uterine sister, if he has one, and, after any deductions which may be necessary to complete the bridewealth payments of the bride's mother and the fulfilment of other debts which may be pressing, he will probably get all the remaining cattle. Though large numbers of sheep and goats[1] are brought in by the marriage, these are not distributed among the bride's paternal kinsmen according to definite claims, nor are they regarded as paid to meet claims which could be interpreted as a survival from times when the

[1] The average seems to be somewhere between fifteen and thirty.

8:Howell E-4.5 (1937, 1948) 1953 FJ23 Shilluk FJ23

Shilluk were perhaps more prosperous cattle-owners and the rates of bridewealth were higher.

There is in fact no evidence that the number of cattle paid as bridewealth was ever higher than ten, though it may have been so in the era preceding Turkish times. During the *Mahdia*, and for some time after, when the Shilluk had even less cattle than they have now, the transfer of more than two head as bridewealth seems to have been exceptional. But in the more prosperous period which followed, when cattle increased, there was an aftermath of claims dating back to marriages contracted at an earlier date. Some of these claims were upheld in the Courts established by the Government; a procedure which no doubt fostered the belief that the rate of ten head of cattle was unalterable and amounted to the enforcement of obligations which would not otherwise have been honoured. Latterly, the Administration has made attempts to reduce the bridewealth rate. At times in recent years, presumably after epidemics which have sometimes nearly halved the cattle population in the course of twelve months, ten head of cattle as bridewealth has been excessive, with varying results all naturally considered undesirable by the Administration. First, there has been a marked increase in litigation over bridewealth claims. Young men, having started the processes of marriage and made some initial payments of cattle, have then absconded with their brides and refused to honour further obligations. Second, since suitable husbands with sufficient cattle are not to be found, Shilluk girls, unable to marry the men of their choice, in an age when some degree of emancipation has been the result of alien government, tend to drift into the towns as concubines and prostitutes.[2] This process has an equally undesirable corollary. The young men, unable to marry, are more inclined to illicit love affairs, with the result that adultery has increased with a consequent rise in litigation. Finally, the Shilluk have taken to marrying their daughters to Nuer or Dinka who are easily able to find the ten head of cattle required. This process, though not necessarily undesirable in itself, has the effect of aggravating the position, because Shilluk men find it even harder to acquire wives. Without this absorption of Shilluk girls by intermarriage with other tribes or by the process of detribalization, their guardians might be prepared to accept smaller numbers of cattle as they undoubtedly did during the impoverished times of the *Mahdia*.

There have been many discussions, recorded in Government files, of the necessity for reducing the amount of bridewealth and it is clear that Shilluk chiefs and notables have themselves been acutely aware of the need to do so. Yet, despite resolutions made at Shilluk Council meetings, no alteration has in fact occurred.

Divorce and the Dissolution of Marriage

Divorce laws among the Shilluk are, in principle though not in detail, similar to those current among other Nilotic tribes. We must here distinguish between what may be called 'active divorce', when both parties are still living, and 'dissolution of legal union', which sometimes follows the death of the wife.

[2] Encouraged perhaps by the removal of customary deterrents. The 10th meeting of the Shilluk Council (1935) records: 'Chiefs are warned that the following customary "punishments" for a woman are forbidden and will be followed by imprisonment:
(1) Tying her up in a net and half drowning her.
(2) Tying her up outside at night for the mosquitos to bite her.
(3) Smoking her in a closed up house
(4) Sticking thorns up her finger nails.
The Government does not object to the lawful guardian of a woman or a girl giving her reasonable correction with the palm of his hand, or a light whip, but beating with a stick is also forbidden.'

8:Howell E-4,5 (1937, 1948) 1953 FJ23 Shilluk FJ23

An analysis of Shilluk marriages has shown that many cattle which should be retained for bridewealth to be used by the bride's male kinsmen are, in fact, frequently paid away as debts, or slaughtered, or sold to obtain cash in times of famine. This is perhaps natural among the Shilluk, who have to place greater reliance on an agricultural economy, but whose agricultural activities are no more productive or reliable than are those in other parts of the Nilotic area.[1]

Pumphrey goes on to say,

> accordingly it seldom occurs that, owing to the death of all the original marriage cattle, the wife's relatives become interested in the breaking up of the marriage. Possibly as a safeguard against this very contingency the Shilluk have a custom which compels the bridegroom, during the first three or four years of his marrige, to replace by living cattle any of the original cattle he paid as bridewealth which may die in the interim.[2]

It is not clear, however, at what stage of marriage the bridegroom is absolved from this responsibility. Some Shilluk say that it no longer applies when the marriage is finally confirmed by the birth of a child and the bride's change of residence.

Pumphrey adds that:

> it is a natural corollary of all this, that the progeny of the marriage cattle are not reclaimed. The claim is for a roughly equivalent amount of cattle. This amount will vary according to the number of children borne to the man by the wife.[3]

The Legitimacy of Children

With regard to the legitimacy of children in case of divorce, we hear that, 'the children born of the dissolved marriage are legitimate irrespective of the smallness of the cattle payments and of the fact that the marriage was short-lived'.[4] Pumphrey mentions, not here but later, that a certain number of cattle must remain with the wife's family if the ex-husband is to retain legal parenthood of these children. If these deductions are not made, the children are automatically classed as *okeyo*.

On this subject Pumphrey says,

> If the wife had produced sufficient children to wipe off the whole bridewealth, the husband will be entitled to receive nothing upon the termination of the marriage, except that . . . if the marriage has been broken through his wife's bad behaviour the husband may be awarded the return of at least a part.[5]

My own investigations lead me to believe that this statement is incorrect, at any rate according to the principles of Shilluk law, for although a husband may be so exasperated by the conduct of his wife as to demand return of all his bridewealth cattle, he can only do so by waiving all legal rights in the children of the union, and he is unlikely to do this.

Among the Shilluk these questions arise principally in connexion with subsequent rights in the bridewealth cattle of a daughter. The question of nomenclature, impor-

[1] Crop production in Shilluk country is unreliable and erratic because the soil on the high ground in the immediate vicinity of the villages is exhausted, while the land in the hinterland is subject to flood owing to poor drainage.

[2] Pumphrey: unpublished records.

[3] Ibid.

[4] Pumphrey, op. cit., p. 26.

[5] Ibid., p. 33.

8:Howell E-4.5 (1937, 1948) 1953 FJ23 Shilluk FJ23

tant among the Nuer and Dinka, does not usually arise. The Shilluk seem to attach greater significance to physical paternity than do other Nilotes and the *okijo* male will usually be linked to the name of his *genitor*, even though this carries with it no legal rights. In the case of males there is often a tendency on the part of the maternal uncle or his heirs to deny to the *okijo* rights of inheritance or full participation in the reciprocal privileges of the lineage, so that his status is sometimes precarious and indeterminate.

Unlike the Nuer and Dinka, the Shilluk have no 'Ghost-Marriage'.[1] It is not stated as a fundamental obligation of kinship that a wife should be 'married to the name' of a dead kinsman, though the sentiment which dictates the custom among the Nuer and Dinka is not absent among the Shilluk. In this sense the Nuer and Dinka system is perhaps more individual than that of the Shilluk. Among the Shilluk continuity of the kinship group, not of the individual, is assured by normal legal marriage with cattle which might well have been used by the deceased for this purpose, but are not transferred in his name. Names are retained, however, by a belief in reincarnation. It is believed that the spirit of some ancestor appears in the new-born child which is then named after the ancestor. At the birth of every child a ceremony is performed, usually with the assistance of a *bay reth* who specializes in such matters, to determine this. The participants will ask, '*men akal yi min*?—'This one is brought by whom?' This accounts for the repetition of names in Shilluk genealogies, irrespective of sex, since there is no reason why the spirit of a female ancestor should not enter a male child or vice versa.

As will be seen later, a man who seduces a girl, if she subsequently gives birth to a child, cannot assume legal parenthood of his offspring except by marrying the mother and then only if at least some of the bridewealth cattle have been transferred, and the initial processes of marriage performed before the child is born. Theoretically, at least, children born out of wedlock cannot be legitimized and must therefore remain *okijo*. This does not apply if the father is betrothed to the girl at the time, provided that he eventually completes the marriage payments. It often happens, however, that a child born in these circumstances is adopted by the man who subsequently marries the mother, and marriage in these conditions usually brings with it legal parenthood of children born out of wedlock.

Violation of Rights in Women

Seduction of Unmarried or Betrothed Girls and Adultery

The seduction of unmarried girls is accounted a serious wrong among the Shilluk and one which demands compensation. The wrong is referred to as *kwor kwob nian ajur* and compensation is assessed, both currently and traditionally, at one ox. Pumphrey remarks that,

> . . . an original seduction often eventuates in marriage, in which case the seduction payment is payable first and the marriage payment after (and over and above it). In such cases also marriage dates from the acceptance of the sheep and it is improbable that the girl's family will accept it until the seduction payment is completed.[2]

[1] See Evans-Pritchard: 'Some Aspects of Marriage and the Family among the Nuer', *Zeitschrift für Vergleichende Rechtswissenschaft*, 1938 and Rhodes-Livingstone Inst. 1948.

[2] Pumphrey: unpublished records.

8:Howell E-4,5 (1937, 1948) 1953 FJ23 Shilluk FJ24

This also applies to a girl who (on Pumphrey's definition) is already technically married, but still living in her father's home. The seduction of a girl in this condition (which I prefer to call betrothal) by an outsider is not considered a more serious offence than seduction of a girl who has not been bespoken. In such circumstances, too, the compensation is the recognized right of her father or legal guardian and not of her so-called husband. It is true that the latter will usually be expected to collect the compensation and to take action either directly or through the agency of the Courts, but he will ultimately hand over the ox to the girl's father. Seduction of a girl in these circumstances is not therefore adultery in the legal sense.

Seduction, whether of an unbetrothed or of a betrothed girl, if followed by pregnancy, is considered a more serious offence and demands a higher rate of compensation, which again is claimed as the right of the girl's father. This is known as *kwor yat nian ajur* and is nowadays fixed at three head of cattle.[1] Again, in the case of an unbetrothed girl, her own kinsmen will take action, but if the girl is betrothed, her future bridegroom will take up the matter on behalf of her family.

An act of adultery with a wife (in the full legal sense) demands an indemnity of two head of cattle (*kwor kwob cie dhano*) payable to her husband.

The impregnation of a married woman (in the full legal sense) is a much more serious offence and the recognized compensation is four head of cattle[2]—*kwor yat cie dhano* or *kwor yat cie ot*. The cattle are claimed by the woman's legal husband who will retain them unless there is a divorce, in which case they go to her kinsmen. In fact they would be deducted from the cattle which the wife's kinsmen should return to the husband on divorce and it is unlikely that he would hand them over, especially if they had been paid a long time before.[3]

If a divorce follows the offence the child will normally become *okeyo* (unless legitimization fees are paid) and will be brought up by its mother's kinsmen. Otherwise, children born of adultery belong to the legal husband, even if the wife leaves him to live with her lover.

Adultery with the Wives of Kinsmen

As among other Nilotic tribes, the exaction of compensation usually depends on the relationship between the husband and the woman's lover. Pumphrey says,

> No *kwor* is payable where a man has relations with the wife of his brother or his father. In fact, little resentment is felt in such cases, especially if the offender is unmarried, the realistic view prevailing that it is better so than that he should incur cattle payments by exploits elsewhere.

This statement is substantially correct, though it must be realized that it does not imply that there is anything in the nature of the right of access to each other's wives by close kinsmen.[4] It is forbidden for two (uterine) brothers to cohabit with the

[1] Shilluk say that it was seven head in the time of ruth Kur (1901).

[2] Shilluk say that the number demanded in the past was eight.

[3] Unlike the Nuer and Dinka, there is no limit to the number of times a man may demand compensation for the adultery of his wife. Moreover, if several men are concerned, compensation is demanded in full from each. This does not apply if a child is born, as here only one man can be held responsible, and it is said that the woman will sometimes be prevailed upon to name the richest of her lovers.

[4] As suggested by Hofmayr.

8:Howell E-4,5 (1937, 1948) 1953 FJ23 Shilluk FJ23

thiag

One other offence which is recognized by the Shilluk and is also known to Nuer and Dinka is *thiag*. This refers to fornication with a woman who is pregnant or lactating. Should the woman abort the child, or the child die subsequently, four head of cattle are claimed. This applies, of course, only to married women and in effect means that a man must pay four head of cattle for adultery where in other circumstances he would only pay two.

Sexual Offences Concerning Female nyiriths

It is a rigid rule among the Shilluk that no female *nyireth*[1] may marry or indeed have sexual relations with any man. It is possible that in the past they were more strictly guarded and deterrents in the form of severe punishment were more rigidly applied.

Seligman says,

> . . . the daughters of a king must remain unmarried, the alleged reason for this being that it is unfitting that the daughter of a king should marry a commoner, while she could not marry a *nierel* (king's son) since this would be incest. The prohibition of marriage does not, however, extend to all intercourse; a king's daughter is allowed to select lovers as she chooses, and nothing is said so long as it is not publicly known that she has become pregnant; but if this were discovered she would be killed, as would also the man responsible for her condition. This rule, which until recently appears to have been sternly carried out, led to frequent production of abortion.[2]

This rule is still insisted on by the *reth*, though clearly it is ineffective nowadays since *nyiriths* have become something of a problem to the Administration. Writing in 1946, Thomson says that female *nyiriths* can be divided into two classes: (*a*) those who cohabit with Police and 'Malakia' (detribalized urban elements) and (*b*) those who live in Shilluk country.

The former class appears to be numerous, and has gained notoriety owing to its pursuing its trade largely in Malakal. I believe it forms a small minority of female *nyiriths*. Some of them live faithfully with their unmarried husbands, others are more flighty and others again are prostitutes. As long as these *nyiriths* remain in Malakal or Kodok they are merely objectionable on moral grounds.

The latter class is a menace to tribal society. Their habits are similar to the female *nyiriths* who consort with 'Malakia', but in this case the husband', being of Shilluk blood, feels bound by tribal custom and its distortions. The tribal custom appears to be that the first time a female *nyireth* becomes pregnant the lover has to pay ten head of cattle (*kwor*) to the *reth*. In the old days it was held to be a disgrace for a female *nyireth* to give birth and abortion was frequently practised. The ten head of cattle to the *reth* would not be objectionable, if it could be looked on as bride-price (which it is not). If this were so, the *reth* would have a personal interest in the fidelity of the *nyireth*, as the bride-price would, of course, be returnable on divorce. It would be right that this bride-price should go to the *reth* as being either father of the girl or in *loco parentis*.

This custom has, I think, largely fallen into contempt and I doubt whether the number of cattle reaching Fashoda amounts to very much. This does not mean that the lot of the

[1] *Nyireth*, daughter or son of a *reth*.

[2] Seligman, e.g. 'The Cult of Nyakang and the Divine Kings of the Shilluk'. *Report of the Wellcome Tropical Research Laboratories*, Khartoum, 1911, p. 218.

8:Howell E-4,5 (1937, 1948) 1953 FJ23 Shilluk FJ23

lover is any less hard. In place of a recognised tribal fine or compensation he is now a victim of blackmail. The *ejiveth* whom he is living with proceeds as follows 'Give me a cow or I will tell.' This may go on until the lover's capital is exhausted and the *ejiveth* with her child or children moves off in search of further prey. The lover has no redress as the whole arrangement is outside tribal custom, and the *ejiveth* prospers from her blackmail and promiscuity.[1]

I do not propose to discuss here the reasons for the bar against marriage or sexual intercourse with the daughters of reigning or former *reths*. I have sometimes heard Shilluk say that compensation for illicit intercourse with any woman of the royal clan should really go to the *reth*. There is, however, an obvious distinction between offences committed with daughters of *reths* and with other females of the royal clan. In the first case, all forms of sexual union are barred and any infringement of the rule is a crime against the *reth* himself and all he stands for. Moreover female *ejiveths*, not being allowed to marry, are in a sense males. Hence sexual relationship with them by a male amounts to perversity and perversity is not a mere private delict but a spiritual offence likely to react upon society as a whole. Shilluk say that theoretically the *ejiveth* and her lover should be put to death, but the offence is now compoundable by payment of a fine. The principles of punishment and expiation are involved, not merely restitution. In the case of all other female *kwareth*, the offence lies not in the fact of sexual relationship, but in an illicit relationship amounting to an infringement of rights which apply to all members of Shilluk society. The wrongdoer pays the indemnity in order to right that wrong. In accepting compensation for offences against other women of the royal clan the *reth* is acting as the recognised head of that clan and has a right to receive and redistribute (which in fact he usually does) the wealth which belongs to the clan collectively. The former is therefore more nearly a criminal or public offence, the sanctions being penal, while the latter is a private delict involving the restitutory sanction only. It is worth noting that a closer study of this subject might well lead to a clearer picture of the spiritual functions of the *reth* himself and through him of the royal clan, and also to a more reliable interpretation of his legal functions.

Conclusion

We may conclude by noting that Shilluk marriages have not the complexity, found both in the social processes and the transfer and distribution of bridewealth, which characterizes unions among their Nuer and Dinka neighbours. The principles are, however, comparable. Marriage is achieved by the performance of ceremonies which have both social and ritual aspects. Side by side with these ceremonies is the payment of bridewealth in cattle, goats, sheep, and sometimes cash. Neither is complete without the other and, generally speaking, each stage in the ceremonies is accompanied by further payments of cattle. The *wegho thiek*, the ultimate ceremony of marriage which corresponds approximately to the Nuer *mut* and the Dinka *thok de thiek*, at any rate in its legal implications, will not be performed unless sufficient cattle have already been paid to satisfy the kinsmen of the bride. Conversely, the payment of cattle would not legalize the union without the accompanying ceremonies.

[1] W. P. G. Thomson: unpublished records, 1946.

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Though there are differences of detail in the matter of divorce, the general principles are again similar and both the legality of marriage and the legal status of children are established by the same method, the transfer of cattle being the material symbol of the transfer of legal rights. As elsewhere in the Nilotic world, litigation over rights in marriage and parenthood is common in the Shilluk courts; not that the rights and obligations are in dispute but rather that persons refuse to honour them. It is also possible to trace the gradual development and crystallization of custom and usage into customary law now consistently enforced by Shilluk tribunals established by the present Government.

There are also points of contrast. The most obvious of these is the rigidity with which the amount of bridewealth is fixed. Among Nuer and Dinka, where the ratio of cattle to humans is generally higher, the number of cattle claimed in bridewealth is greater but it is also more elastic and, provided certain minimum claims are met, will fluctuate according to the prevailing condition of the herds. By sticking permanently to a fixed number, even a comparatively small one, and regarding any cattle outstanding as an almost perpetual debt, the Shilluk marital system is the cause of many social maladjustments, some of which have already been described. These difficulties may well be aggravated if the population increases while the herds continue to be depleted by epidemics of rinderpest or trypanosomiasis.

Résumé

NOTES SUR LES SHILLUK DU HAUT NIL: DROIT COUTUMIER: MARIAGE ET DROITS SUR LES FEMMES

Les mariages chez les Shilluk sont effectués par l'exécution de plusieurs cérémonies ayant une importance tant sociale que rituelle, qui sont accompagnées par le transfert de bétail représentant le paiement du mariage. Le transfert de bétail figure, également, dans les actions de divorce et détermine le statut légal des enfants, car il constitue le symbole du transfert des droits légaux. Ces caractéristiques des droits de mariage chez les Shilluk sont également rencontrées parmi les Nuer et les Dinka, bien qu'il y ait des différences de détail; plus particulièrement en ce qui concerne la répartition, parmi les parents, du bétail qui constitue le paiement du mariage. De plus, la quantité de bétail représentant ce paiement, parmi les Shilluk, est toujours de dix têtes, et les arriérages en suspens sont reportés quelquefois à perpétuité. Ceci est une cause fréquente d'inadaptation sociale et de litige, et les difficultés qui en résultent sont susceptibles d'être aggravées par l'accroissement de la population et l'épuisement des troupeaux par suite de maladie.

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which largely concern social structure and kinship systems, are to be published later. In this article I have attempted to set down the evidence, often conflicting, concerning the secular and legal functions of the *reth* or king and, since these are relevant, the Shilluk laws of homicide. Professor Evans-Pritchard points out 'if we are to understand the place of the kingship in Shilluk society we must, I think, beware of attempts to define it in terms of judicial and administrative functions and view it rather as a ritual office and in a wider political context'.[1] There are in fact two opposing views. On the one hand are those who consider that the *reth* was the head of a highly-organized administration with a hierarchy of appointed chiefs; that he had absolute powers of adjudication and execution; that he exacted tribute from his people; that he imposed fines upon them for offences against the State. On the other hand are those who hold the opinion that the *reth* had no extensive secular functions of a political or administrative nature, but only a supreme ritual function to perform as the central symbol of the moral and natural order. That the political homogeneity of the Shilluk and the national characteristics of their political structure are maintained by the institution of the *reth* is not to be denied. An analysis of Shilluk political structure, of the segments themselves and of their latent opposition, reveals many forms which closely resemble similar segments in Nuer and Dinka society. The existence of the *reth* gives meaning and co-ordination to the segments of Shilluk society which would otherwise lack political cohesion. But how far are we justified in assuming that the *reth* was an autocratic ruler who intervened in everyday affairs and imposed his authority on his people?

Characteristics of Shilluk Society

The Shilluk are a Nilotic tribe who occupy a narrow strip of country mainly along the west bank of the Nile from Tonga to approximately Lat. 11° N. They are clearly of the same basic stock as the Nuer and Dinka, but have closer affinities with the peoples classified as Shilluk-speaking, i.e. the Anuak, who live along the Baro and Pibor rivers on the frontier of the Sudan and Ethiopia, the Acholi, Lango, Alur, Jopadola, Jaluo,[2] who live as far south as the north-eastern shores of Lake Victoria, and small groups living in the area of the upper waters of the Bahr el Ghazal. Their mythology suggests a common origin and their language is closely allied.

According to tradition the Shilluk migrated from the south through the Bahr el Ghazal into their present country under the leadership of Nyikang, their culture hero and the founder of the present dynasty of Shilluk kings. They conquered and subsequently mixed with the original inhabitants (about whom we know little except that they were probably not a Nilotic people) and extended their territory by raids and infiltration considerably farther north than their present boundaries. Tradition, supported by tribes other than the Shilluk and by Arab tribes living farther north, indicates that Shilluk country once extended as far north as Khartoum.

The Shilluk are now a sedentary people and have nothing approaching the large-scale dry-season migration of the Dinka and Nuer in search of green pasture. Their permanent villages, built on the high ground close to the Nile, are occupied all the

[1] Evans-Pritchard, *op. cit.*, p. 13.

[2] See, for example, Driberg, *The Lango*; Northcote, 'The Nilotic Kavirondo', *J.R.A.I.*, 1907; Evans-Pritchard, 'Luo Tribes and clans', *Rhodes-Livingstone Journal*, no. vii.

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year round and only the youths go to the cattle camps in the riverain pastures, which are never more than a few miles from their villages. The Shilluk are not a pastoral people in the sense that the Nuer and Dinka are, and rely to a much greater extent on agricultural products and on fish, for they are skilled and experienced fishermen. Since their migration to their present territory, it is probable that they have never had a very large cattle population, for their riverain pasture is not extensive.[1]

Shilluk clans[2] are not territorial in basis for they are highly segmented and widely distributed throughout the settlements of Shilluk country; as corporate units they have no real significance except at times of national festivals, and then only in the sphere of ritual and ceremony.

The Shilluk are divided into four main classes or groups of clans:

(i) The *kwareth*: the royal house, who trace descent from Nyikang and from whom the *reth* of the Shilluk is chosen.

(ii) The *orero*: a disinherited branch of the royal house who do not differ from commoners except in the special functions they perform at the installation of the *reth*, during his lifetime, and at his death. They are a distinct exogamous clan, though they may intermarry with the *kwareth* despite common ancestry.

(iii) The *collo*: the name refers collectively to the main body of the Shilluk clans of which a large number trace descent patrilineally from (*a*) the original followers of Nyikang, (*b*) individuals of other tribes who have migrated and settled in Shilluk country from early times onwards, and (*c*) ancestors who are lost in antiquity, but who may have occupied Shilluk country before the arrival of Nyikang.

(iv) The *bang reth*: the personal attendants of the *reth*, his wives or wives of past *reths*; the descendants of royal slaves obtained by capture; those who volunteer to serve him by reason of their possession by the spirit of Nyikang,[3] and paupers who volunteer for this form of service in order to exist at all. Finally, there are the alleged descendants of those who were enslaved because their close kinsmen committed homicide, though this statement must be examined more critically later.

There are no real caste distinctions between *kwareth*, *orero*, *collo*, and *bang reth* and, apart from restrictions on the marriages of daughters of a living or past *reth*, they intermarry freely. The *kwareth*, however, by reason of their connexion with Nyikang and subsequent *reths*, are treated with special respect and this extends to those *bang reth* who have close association with the shrines of Nyikang or of dead kings. The Shilluk basic social structure is very similar to that of the Nuer and Dinka, though there are important differences. The segmentation of the population into territorial units and of the clans into localized lineages has, however, a greater permanency and stability. The distinctive feature of the Shilluk political structure is the existence of an established and theoretically omnipotent monarchy and it is in the political sphere

[1] An accurate census taken during the veterinary campaign against trypanosomiasis gives a figure of 23,000. This was after a very severe epidemic in 1946 and it may be assumed that they had lost at least 30 per cent. of their stock. A human census, accurate at any rate within 15 per cent., gives a population figure of 110,000. The ratio of human population to cattle population is therefore between 1:0·3 and 1:0·23. Cf. Nuer where highest ratio given is 1:1·3 and the lowest 1:1·2.

[2] *Kwo*: Literally 'descendants of', postfixing the name of the clan. '*Kwo* Okelo'—the descendants of Okelo—and so on.

[3] Often now attendants at the many shrines of Nyikang.

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that the most definite contrasts may be found. Whether this established and institutionalized monarchy is the result of diffusion from elsewhere, a legacy from ancient Egypt,[1] or the result of spontaneous development from the politico-religious functionaries who exist in embryo form among other Shilluk-speaking[2] and, indeed, other Nilotic peoples, is a controversial subject which I do not propose to discuss here.

Territorially, Shilluk country is divided into two provinces, within which are the northern and southern provinces of Muomo and Tung, eleven divisions, and finally each division into a number of settlements which are referred to as *padh*.[3] The settlement is the largest political unit which has a permanent and stable function in Shilluk society today.[4] The members occupy a common and clearly defined territory, have a common grazing and fishing area held collectively, a common name, and a common system of age-set nomenclature.[5] Within each settlement are a number of villages or hamlets, each of which, with its offshoots, is occupied by a distinct kinship group, the local lineage of one of the main Shilluk clans. One of these lineages is usually dominant and, though it does not give its name to the settlement, its leader is generally recognized as holding some authority over the rest of the community. In each settlement there are also usually representative lineages of *kwareth* who sometimes, but not always, have assumed a position of dominance within that settlement, usually by force of numbers. There are also *bang reth* living in close association with *kwareth* or tending one or more of the numerous royal shrines.[6]

There are frequent movements and migrations, both of individuals and of small domestic groups. The persons who thus take up residence in other parts of the country retain links with kinsmen in their original home and these links continue for a period. The number of generations which pass before they are forgotten is indeterminate and variable, but the factor of territorial association is an important one. Lineages of one clan living in one area are likely to retain these links and remain bound by rules of exogamy however far removed they may be in the kinship structure. Moreover, common residence in one village area or even one settlement may create bonds which are equal in strength to kinship ties and may even carry with it a bar to intermarriage. In such circumstances there is usually the fiction of common descent through the female line. Among the Shilluk there is a bar to marriage with close relatives on the maternal side carried to three or four generations, but common residence sometimes creates a more permanent prohibition.

[1] See Seligman, C. G., *Egypt and Negro Africa*. George Routledge & Sons, 1934, p. 60.

[2] For example, the Anuak nobles; see Evans-Pritchard, *The Political System of the Anuak of the Anglo-Egyptian Sudan*, Monographs on Social Anthropology, London School of Economics, 1940; and Delburg, J. H., *The Lango*.

[3] *padh*. A more elastic and relative term than I had realized when writing an article on this subject in 1937. *padh* simply means 'home' or 'homeland' and Shilluk refer to *padh collo* 'Shillukland'. The word itself has the same relativity as the Nuer word *ring* and the Dinka word *ear*.

[4] There have, of course, been changes of boundaries and processes of fission and fusion characteristic of any segmentary society. The nature of the terrain in Shilluk country, however, precludes any great change. The limitations of high ground, with clear-cut watercourses as boundaries, together with associated economic interests, tend to stabilize these communities.

[5] This is a significant fact and one which throws much light on the true nature of the Shilluk *padh*. When we compare other Nilotic tribes we find that age-set nomenclature is common to whole tribes, but does not extend beyond tribal boundaries (Nuer) or, like the Shilluk, is limited to smaller segments of society (Ngok Dinka).

[6] Lineages of the *kwareth* are referred to by the name of the *reth*, *nyireth* (son of a *reth*), or *nyimireth* (grandson of a *reth*) who founded them. Thus *kwareth* Fadiet, *kwanyereth* Adang, &c. Similarly, *bang reth* are distinguished as *bang reth* Fadiet, *bang nyireth* Adang, &c.

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631 642 nominate them. They were heads of settlements in virtue of their position as heads of lineages dominant in those settlements and although they had certain duties to the king it is, I think, wrong to describe them as being in any sense administrative officials. To use such terms as 'state', 'government', and 'administration' in speaking of the Shilluk political system would appear to me, in the light of what is now known of it, to be a mistake.[1]

My own opinion is in accordance with these views. At any rate, if such terms are used, it should be made clear that they are qualified by the considerations already mentioned. In comparison with modern conceptions of an organized State system, or with such highly developed political institutions as are found in some African kingdoms, such as that of the Baganda, the Shilluk system cannot be said to have reached, without external influences, a high degree of rigidity or efficiency. When compared, however, with the acephalous systems of their Nuer and Dinka neighbours, it is apparent that the Shilluk had, even in early times, advanced much farther along the road towards 'politically organized society'.

Homicide and Blood-feuds: The *Reth*'s Rôle as Peacemaker

171 682 A study of the laws of homicide is likely to reveal, not only the nature of the legal system and whether or not a system of public law was in existence in the past, but also whether such law was in fact enforced by the *reth* or his representatives. In an acephalous society like that of the Nuer, and probably among the Dinka as well, we know that homicide was, until the advent of the present Government, treated purely as a private delict subject to retaliatory or restitutive sanctions. Thus an act of homicide would instantly lead to a blood-feud between the two segments of society concerned. A feud could be composed either by retaliation against the person of the killer or one of his kinsmen—which might lead to yet further hostilities—or by payment of an indemnity in cattle equivalent to the life of a man, to restore the equilibrium. We know too that a special functionary existed, the *kwar kwac* or 'leopard-skin chief' of the Nuer and the *bany de ring* or 'Chief of the Spear' of the Dinka. These experts were invited by the participants to intervene and mediate between them and to supervise both the secular and ritual processes of composition and peacemaking according to accepted and conventional patterns. In no sense did they have the authority to impose their demands for peace on the people or forcefully to intervene between them. They were called upon to do so only when the will to come to terms was already there, largely determined by expediency.

We know that among the Shilluk acts of homicide were followed by feuds, often more bloody and lasting than any likely to occur among the Dinka and Nuer. We know too that blood-feuds could be composed by the payment of compensation and the performance of the ritual which accompanies such payments. But here there is a difference. While in Dinka and Nuer society there were many recognized hereditary mediators, among the Shilluk there was only one, the *reth* himself. The functions of the *reth* in the processes of peacemaking are therefore relevant. Was he, like the *kwar kwac* and the *bany de ring*, simply a mediator and ritual expert competent to conduct the negotiations only on the demand of the people themselves, or was he able to intervene between them with an independent and neutral force behind him? In collecting the accepted indemnity, did he hand it over to the injured party as compensa-

[1] Evans-Pritchard, op. cit., p. 14.

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tion, from which he may have deducted recognized fees for his services in the same way as the Nuer and Dinka functionaries did, or did he appropriate the cattle to himself as head of the State? Was homicide a crime against society of which the *reth* was the central representative, or was it merely a private delict? These questions are relevant and fundamental to the whole problem of the nature of Shilluk law and the position of the monarchy.

As among other Nilotic people, we are faced with the difficulty of finding out how homicide was composed before the advent of the present Government. Among the Shilluk it would really be necessary to have information dating back to a period before the advent of the Turkish régime in 1867. It is doubtful, of course, whether the Turks ever had sufficient control over the Shilluk to have any direct influence on their laws and legal procedures, but since they attempted to administer the country through the agency of the *reth*, at any rate during some periods of their administration, they doubtless influenced him in this particular connexion. Except for vague references to the existence of homicide, to internecine strife, and the warlike character of the Shilluk, I know of no precise mention of this subject in early literature.

Blood-feuds and inter-settlement fighting

Shilluk settlements have certain distinctive characteristics including the restriction of age-set names and the ritual of the age-grade system within the settlement. Although now fast disappearing, and no longer of great significance owing to the repressive policy of the Government, the primary function of the age-grade organization seems to have been military.[1] Hofmayr on this subject says:

> Every man is a soldier and literally always under 'arms'. Every Shilluk who has ceremonially danced, is a warrior as long as he is able to bear arms. [illegible] form groups. Every settlement is independent with its own *bany* (principal singer [illegible] president). Different settlements combine and sally forth under the leadership of the eldest *bany* against their powerful enemies.[2]

The *bany* or *beng*[3] is, within the settlement, the leader of organized hostilities, which have been frequent between Shilluk settlements. His function in this connexion is brought out again and again in official documents and the attitude of the Administration has throughout been hostile. We read, for example, in the records of the Shilluk Chiefs' Council that 'The *reth* is opposed to them all as a subversive influence, but there are evidently some Chiefs who are afraid of them. Young *bany* who give trouble shall be punished and turned out.'[4] Again, in 1947:

> A *bany*, or war-lord in Shilluk, is a social institution which has been forbidden for six years in Shilluk country, and the bar is well known. . . . The *bany* . . . is essentially a leader of the youth of a section, i.e. the warrior class. It is said that in the old days, when there was little public security and each section had to look after itself, the *bany* was a useful functionary, and in so far as he co-ordinated the warriors of a section this was doubtless so. Now, any 'class consciousness' on the part of the warriors must have an aggressive tendency as it can

[1] Howell, op. cit., p. 37.
[2] Hofmayr, op. cit.
[3] Cf. the Dinka word *bany* or 'expert'—though among the Shilluk the term is restricted to the age-set leader, whose duties are primarily military. See also Howell, op. cit., p. 60.
[4] Records of Shilluk Chiefs' Council meeting 1934 (unpublished).

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daughter, would marry out of the lineage, and her bridewealth would be used to marry a wife from elsewhere. I can quote no actual instances of this custom, but it is in keeping with Shilluk ideas, and I believe it to have been common in the past. The indemnity is known in Shilluk as *col dhano*, ' the replacement of a man '. Although the Shilluk do not have an institution comparable to the Nuer and Dinka custom of ' ghost-marriage ',[1] they certainly consider that the continuity of the kinship group must be assured and the acceptance of an indemnity is primarily directed to this object. A wife married with ' blood-cattle ' is called *nya wic dhano*, ' the girl in place of the man ',[2] and although she is not married specifically ' to the name of the dead man ', as would be the case among both Nuer and Dinka, the principles are the same. The primary intention in accepting such payments in cattle is therefore to marry a wife into the dead man's lineage, or to acquire a girl who will either be taken in marriage or received as a daughter from whom bridewealth may be expected. Since bridewealth among the Shilluk is more or less rigidly maintained at ten head of cattle, it is logical that the indemnity for homicide should also be ten.

Among many Nilotic peoples in the past there were different rates of compensation for the taking of human life according to the status of the person killed. Among the Shilluk a greater differentiation might be expected, but there is little evidence of this, though Shilluk themselves say that to kill a member of the royal clan would be a serious offence and in the past was likely to call forth a punitive expedition by the *reth*. It is significant that Hofmayr says: ' To wound a royal prince or princess, or a royal daughter or son of a prince, whether it happens accidentally or intentionally, demands a high penalty for the shedding of royal blood (*a wano*). In 1912 a boy accidentally injured a royal daughter with a spear and caused only a slight flesh wound. He had to pay six head of cattle (two or three to the King, one to the mother of the girl, and one to the Chief of the village).'

There is normally no distinction in the amount of compensation demanded for the death of a woman. A husband who kills his wife is not expected to pay compensation if he has completed the bridewealth payments. When a woman kills someone, her father or legal guardian is held responsible if she is unmarried; a husband is responsible for the actions of his wife.

As among other Nilotic peoples, when homicide is a joint action, the first man to cause injury to the deceased is held to be responsible for his death.

In the peacemaking negotiations described, the ritual acts and ceremonial procedures are reminiscent of those performed by the ' Leopard-Skin Chief ' among the Nuer, and the ' Chief of the Spear ' among many Dinka tribes. These similarities are seen in the public ceremonies rather than in the special ritual performed to relieve the killer of the spiritual contamination which is believed to follow an act of homicide; this is not surprising, since obviously the *reth* could not deal individually with every killer. Further, it is customary for these functionaries among both Nuer and Dinka to take a small proportion[3] of the ' blood-cattle ' in return for their services;

[1] See Evans-Pritchard, *Kinship and Marriage among the Nuer*, pp. 109–12. Oxford, 1951.

[2] Mr. J. L. Baker tells me that children born in such circumstances are known as *okic* or *akic* (according to sex) which means literally ' father dead '.

[3] For example, out of a total varying between twenty and forty head of cattle, the Nuer *kwar kwa* takes the *yang kwiini* in return for his services early on in the negotiations for peace, the *rwath riem* (' bull calf of blood ') and *yang kwar* (' cow of the leopard-skin '), besides two oxen which he sacrifices at the ceremony. In some parts of Nuerland these might

some of the beasts are sacrificed during the ceremonies and others are added to their personal herds. One must, therefore, beg the question whether those portions alleged to be the right of the *reth* were ritual fees of this nature rather than 'fines' as is so frequently stated. It is a question of interpretation, and I suggest that even though repressive action and the exaction of 'fines' may have occurred, with the backing of foreign Governments, during the latter half of the last century and the early years of the present Administration, the payments were ritual in origin and concerned the *reth*'s ritual function in society. The use of the word 'fine' appears to me to be inaccurate.

Ritual of Purification for Homicide

As among other Nilotic peoples, a Shilluk who has killed another must perform certain rites to cleanse him from impurity which might otherwise affect his kinsmen. This process involves, first, the letting of blood, which is carried out by a magical expert (*ajwogo*)[1] who makes a small incision on his right shoulder with a spear. This is known as *tai dhani*. Secondly, a small sacrifice is made (usually a sheep), the object of which is to remove the curse of the dead man's spirit. As among the Nuer and Dinka, the killer is not expected to eat or drink until this ritual has been performed.

Accidental Killing

Accidental killing (*agweny*) is apparently not regarded as a serious offence among the Shilluk, especially if the two parties are connected by kinship or by close association in one territory. Hofmayr says: 'Accidental killing requires only the sacrifice of an ox at a peace ceremony and no more.'[2] District records indicate that two head of cattle sometimes were paid. At the Shilluk Chiefs' Council in 1934 it is recorded that 'the Council do not know whether there is a definite law on this subject or not. The *reth* says that years ago it was two head of cattle, one to the relatives of the dead man, one to the *reth*. He himself suggests two head of cattle to go to the deceased's family. This is confirmed as law.' I do not think that any such fixed indemnity existed in the past, but that intention was recognized and accident accepted in mitigation of the offence. At any rate the indignation of the deceased's kinsmen would not be so acute, and they would be prepared to accept an indemnity less than that normally demanded for intentional homicide.

Bodily Injuries not causing Death

On the subject of bodily injuries less than death, the evidence is even less reliable than on homicide. It is evident that such injuries require the payment of compensation if retaliatory action is not to follow. At the same time it is perhaps surprising that among the Shilluk, unlike the Nuer and Dinka, there are no recognized injuries for which compensation is given on a definite scale. We hear that 'for injury' an immediate payment of one bull must be made as a guarantee of good faith. Subsequent settlement is made on a scale regulated by the severity of the ultimate damage and rising, in the case of blinding, to the same rate as for death. Apart from the problem of the *reth*'s intervention in matters of this sort, it may be assumed, in the absence of

amount to eight cattle out of a total of forty.

[1] *Ajwogo*: Magical expert or specialist. These persons are not comparable to the Nuer functionaries, such as the *kwar kwar*, but to the possessors of spirits (*gwan kweth*). *Ajwogo* is a derivative of *Juok*, meaning God in Shilluk.

[2] Op. cit.

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further evidence, that such offences were treated as private delicts in the past, though nowadays, through the influence of the Government, penal sanctions may be applied.

Witchcraft

The Dinka and Nuer tell us that witches and other anti-social persons were sometimes dispatched by their victims or their kinsmen with the tacit consent of the community. Acts of homicide against persons whose actions threatened the integrity of the community were either not subject to restitutory sanctions at all, or the compensation demanded by their kinsmen was on a much reduced scale.[1] A similar attitude towards witches is to be found among the Shilluk, but again without the support of actual examples.

In the published literature there are references to persons described variously as witches, sorcerers, magicians, medicine-men, and possessors of the evil eye,[2] and their activities and methods are described, but there are few references to the way in which they were treated. The sanction applied to witchcraft is normally counter-magic consciously applied by the victim.

Hofmayr speaks of 'the *jal yat*, the evil-doer, his aim in life is to do harm, both to life and to property, either by natural means or others,' and adds that 'the *jal yat* works in the dark, but if he is caught, he will be severely punished. Often he is handed over to the people who kill him.' Hofmayr also speaks of the 'poison mixer' (again *jal yat*) who 'is hardly ever discovered. If he is caught, the people will lynch him on the spot and his relations will have to leave the district.'[3] Another passage mentions that the compensation for killing a person possessing the evil eye is only four head of cattle instead of ten. These references, supported by what the Shilluk have told me, suggest an attitude similar to that found among the Nuer and Dinka.

It might be expected that, if there were any greater development of concepts of public law, and if the *reth* performed formal judicial and executive functions, acts of this sort would be subject not to merely private retaliation with the consent of the community, but rather to repressive sanctions applied by the *reth* or his representatives. In fact there is no evidence of this. It may be noted in this connexion that there are instances recorded during the last thirty years of attempts to introduce alien cults which would clearly be subversive of the ritual status of the *reth* and, through him, of the religious foundations of Shilluk society. For this reason Shilluk who have openly practised the Dinka cult of Deng have been severely repressed.[4] There is good reason to believe that such activities would have been punished by death in the past and they are, by their very nature, public delicts amounting to acts of treason.

Conclusions

Much of the evidence so far quoted is unreliable, mainly because the authors have recorded impressions rather than facts. My own conversations with the Shilluk on the subject have been limited and perfunctory, and for this reason cannot provide

[1] For example, the Nuer *rath* or Ghoul - see Howell and Lewis, 'Nuer Ghouls – a form of Witchcraft', *S.N.R.* xxviii, 1947.

[2] *ajwaga*, magician, *jal yat*, sorcerer, *yuub*, possessor of the evil eye. There are many references to the activities of such persons in Hofmayr, *Die Schilluk*. See also Oyler, D. S., 'The Evil Medicine Man', *S.N.R.*, 1920.

[3] Hofmayr, *op. cit.*

[4] See Willis, C. A., 'The Cult of Deng', *S.N.R.*, vol. xi, p. 195.

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a basis for definite conclusions. It is, however, probably safe to say that among the Shilluk homicide is a private delict requiring the restoration of equilibrium by the payment of compensation in cattle. The main object of such payments is to marry a wife into the kinship group of the deceased—rather than individually to the name of the deceased—and thus ensure its continuity and increase, which have been interrupted by the removal of one of its members. Retaliatory sanctions are also operative, in that the duty to take vengeance on the person of the killer or one of his kinsmen is recognized.[1] In principle, there are here no profound differences between the Shilluk and their Nuer and Dinka neighbours. The rate of compensation is governed by the relationship between the parties and thus the offence is subject to social range. Patricide and fratricide, regarded as the gravest possible offences against the integrity of the kinship group, are subject only to supernatural sanctions. These apply within the local lineage in lessening degree according to the relationship between the persons concerned, and the ritual expiation is known in Shilluk as '*cuila ji kipo rwno*'.

We cannot, however, entirely ignore the strong tradition which prevails among the Shilluk and the views of early writers, that the *reth*, as ultimate authority, had the recognized power to intervene, to enforce such payments and, moreover, to exact additional payments in person and kind amounting to fines which he seized for himself. If we are to believe these traditions, we must conclude that public action against warring factions, whose continued enmity was disturbing the peace of Shilluk society as a whole, was sometimes undertaken. This does not, in my opinion, alter the argument that individual acts of homicide were treated as private delicts involving primarily the restoration of equilibrium between the units of society concerned. If, however, the portions alleged to have been taken regularly by the Shilluk *reth* are regarded as 'fines' paid to the head of the State (though in my opinion this is a wrong interpretation), then homicide among the Shilluk appears to be in a transitional stage between a private and a public delict, and was so even prior to the introduction of penal sactions by the present Government.

[1] Pumphrey observes: 'It is interesting that where a compensatory payment for killing is due (in contrast to compensation for lesser wrongs) the net is cast wider and not only the lineage, but even members of other lineages of the same clan are expected to contribute.' Op. cit., p. 23.

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of open war in certain cases of Shilluk history. The country is further divided in two religious provinces corresponding to the political provinces, also opposed to each other in certain crucial times such as the event of electing a new king. 144 635

The questions now arise: From where did Nyikang stem, and to which racial and cultural area did he (and the first wanderers of his own family) belong? and when? 144 174

The only detectable physical description relating to Nyikang which I was able to find during my fieldwork among the Shilluk was that Nyikang was a man of medium stature, and of a (relatively) fair complexion. Relevant to this point is that the effigy of Nyikang kept at his shrine at Akurwa is relatively shorter than that of Dak, son of Nyikang. If the complexion was really fair, and there is every possibility that this might be so, then Nyikang's original race typology must have at least a primary degree of Hamitic-negro's mixture if they are not pure Hamitic. 12) It follows then that any effort to pursue Nyikang to his original homeland must be directed to either:

a) the Hamitic homeland aroung the present Nilotic enclave, or

b) the area of possible hybrid on the marginal Hamitic homes, again around this Nilotic eclave.

In other words, the possible home of Nyikang is either to the North or to the East, i.e. Northern Sudan or the Abyssinian plateau, with their marginal areas of race mixture.

From the cultural point of view, there are two possibilities detectable from the Shilluk mythology, though contradictory: 174

A) Nyikang was born in a place where real kingship was known, with a system of electing kings. The electors seemed to be the chiefs and the officers of the country, and it appeared that there was no hope for any candidate to put his claims into effect by means of force, if this electoral council turned him down. Another evidence of this real kingship is found in the presence of a stool, the symbol of the throne. A steel in these parts of the Sudan was originally a representation of "the prerogative of the great, and often only of the king, and as a sign of authority". 13) [M]

B) The original home of Nyikang represented a nomadic cultural type, because agriculture was not known. The tradition tells that the brother of Nyikang who was elected king, threw a sort of digging stick, used for digging graves, towards Nyikang when he left the country. This meant that Nyikang and his followers would perish. But Nyikang, when he settled in the present Shilluk country, used the stick as an agricultural implement. 173 174

12) It may be also an Arab-Negro mixture, because at that time the Arabs were already on the Bahr el Ghazal borders. My informants told me that Nyikang met the Rezeiqat Baggara Arabs in his second period of wandering.

13) Arkell, (A), p. 227.

643 of his followers. The Shilluk do not say that Nyikang died or
776 passed away, but say -as my informants told me- he was angry with his people, and, in a stromy night, was gone. This assumption is necessary for the conception of Shilluk kingship. The idea may be summarized thus:

1. Every king who rules the Shilluk is an incarnation of Nyikang,
2. as the soul of Nyikang is thus incarnated in the body of the king, it would suffer every kind of weakness the body suffers;
3. as this would mean the loss of the protective and guiding spirit of the whole nation, it was necessary that the kings should not be left to die of old age;
4. and thus came what we term the ritual killing of the king.

171 Among the Fung, we have no such idea about kings, and the post of kingship itself. This is due to the fact that the Fung were Moslems, and as it is implied in Islam, there is only One God, and there is no possibility of incarnation, or such would be a return to paganistic practices. No one who wrote about the Fung kings ever hinted at the existance of such an idea. Thus, one of the conditions of divine kingship, indeed the core of this kind of kingship, is lacking among the Fung.

b) The Mode of Accession to the Throne:

643 It is easy to understand the Shilluk notion of incarnation from the way they apply it. The important feature which dominates the installation ceremonies of Shilluk kings is the seating of the king-elect on a special stool brought for the occasion from the Shrine of Nyikang at Akurwa. At first, the wooden effigy of Nyikang is placed on the stool by a priest, symbolizing that Nyikang himself is sitting on the stool; then the effigy is removed and the king is seated. In this way, the [775] soul of Nyikang takes possession of the body of the new king. And after this ceremony, the king is considered a king.

Another important rite in a king's installation is that a king must pass a month in complete seclusion before going to Fasheda for the seating ceremony, and another ten days in a special place called Aturwic in Fasheda after the seating ceremony. In this time, the king is considered to be in a solemn mood of contemplation, and in communication with his great grandfather, Nyikang, and other ancestors. During this time of seclusion, the king is provided with a girl, who is given to him by a special clan. It was the custom that the king would marry this girl afterwards, but now it is according to his wish. Human sacrifices at the installation ceremony are said to be given up now, but they were practiced in the past. 88)

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88) In former times, it was usual that the king would pass over a bounded old man as he marches towards Fasheda, and the multitude of the Shilluk followers of the king would also tread on this man, and naturally he dies. Now a sheep and bull are used instead of the man. See Seligmann, p. 94, and Howell, p. 196.

Of the Fung, we have no record about the way their kings were crowned in Sennar. But ceremonies of installing the chief of Jebel Gule were recorded recently, and it is alleged that it is an imitation of what was once the case in Sennar. 59) No human sacrifices were recorded, but the seating of the chief on a stool, and his seclusion in a special hut with a girl for forty days after the seating are recorded, but he is allowed to meet friends after sunset every day. The stool in this recorded ceremony was brought from Jebel Keili, another principality of the Fung kingdom, because the stool of Gule was destroyed during the Mahdiya regime. The stool is guarded by "Nas el 'ada, whom one might apparently describe as the hereditary guardian of the mysteries", 60) 171

If we accept the alleged similarities between what was the case in Sennar and the ceremony at Gule, it would be interesting to point out that there is no effigy, nor any special symbol seated before the new chief sits on the stool. The lack of such a rite undoubtedly indicates the failure of such comparison between the Shilluk and the Fung. The sitting on the stool would then mean the lawful inheritance of power in the country, just as it is and was practiced among civilized nations. What is really underlying the sitting on a throne, we cannot at the moment venture to say.

e) The Mode of Death of Kings:

We have stated above that the ceremonial killing of a king would still be in practice, if the Shilluk were given free choice. Shilluk kings were either strangled, clubbed to death, or walled up in a hut until they died. 643

Among the Fung, we have no information about king killing, except the inference Bruce gave about a special post in Sennar for a royal executioner. It may have been the case that brothers fought for power in Sennar, but this was a wide phenomenon all over the world. It can be a ceremonial killing, if the whole kingship institution was based upon the idea of incarnating the guiding spirit of the nation in the person of the king. But since this conception was missing in Sennar, so another point of comparison widens the gap between the Fung and the Shilluk. 171

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59) Chataway challenges the validity of comparing the traditions of Jebel Gule with what was the case in Sennar. He says "Gule ... is mentioned several times by Arkell. While information regarding Fung history and customs may be obtained at Gule, it is essential to recognise that it is a tainted and unreliable source, a point which other observers have failed to recognise". Charaway, p. 114.

60) Arkell, (A), p. 232.

In fact, the tradition of the Shilluk tells us of hostile relations between them and the Fung, and their first encounter, as was stated above, was on a battlefield. It is quite logical that, as the Fung extended their domains across the White Nile to the Nuba mountains and the Kordofan, the Shilluk were also -for a time- incorporated in the Fung domains. 72) We must not exempt the Shilluk from sharing the same fate with other Negro and Negroid neighbouring tribes. Many of the members of these tribes were transplanted to the Sennar area, forming the bulk of the Fung armies. It is recorded that these people gave their old village names to the new villages where they were living in service of the Fung Empire. Shilluk were among the Sennar armies, and Bruce rightly said that Shilluks are the troops of the king. And owing to the extreme aloofness and haughtiness of a Shilluk, it is not possible to explain the existence of Shilluk in the Fung army, or the transplantation of these Shilluk outside their country as an act of free will on the part of the Shilluk, or as free lancers serving the military ambitions of their deadly foe. The Shilluk must have been compelled to such acts under coercive conditions. We must always bear in mind that the Shilluk were facing a better organized enemy, with cavalry, which was totally unknown warfare equipment to the Shilluk. The Shilluk may have been excellent in using their tactics of surprise attacks, and on relatively isolated groups, but should this tactic succeed against organized armies with cavalry?

Recorded in the Shilluk songs are many pieces describing the frequent Arab slave raids, the havoc they played with the Shilluk, and prayers to the Shilluk former kings and ancestors to help them against the marauders. How could it be possible then to understand the situation arising from the assumption of a Shilluk origin of the Fung, or the statement of Arkell telling us that the governor of El-Ais was ruling the Shilluk relatives on the White Nile? How could it be possible that the Fung would forget their origin and loot their relatives, subduing them to slaves or mercenaries? And if the Fung did not themselves raid the Shilluk on account of alleged blood-relationship, why did they not afford them protection against Arab raids if we know that the Arab raiders are included in the Fung domain?

The other aspect upon which Arkell leaned was the killing of kings in Sennar, and the resemblance of this habit with that which prevails among the Shilluk. But we have invalidated this statement upon qualitative grounds.

If kings of Sennar were killed lawfully by a royal executioner, which in itself is not a fact agreed upon, they were killed on a totally different basis from that which was practiced among the Shilluk. Furthermore, we know that Shilluk kings were either suffocated, or clubbed to death, b[illegible] with the Fung, a king

72) Arkell, (B), p. 17. He states that "The Fung Kingdom at its prime included most of the present Sudan, from Hannek in the north to Beni Shangul and the Shilluk country in the south ..."

174 was killed by cutting off his head with a SWORD, any other weapon
643 being a violation of custom. Tremaux writes that " ... une épée,
411 seul instrument légal en pareil cas (tue un roi)". 73) This is another qualitative difference between the Shilluk and the Fung, because we know that the Shilluk never use or used swords as weapons.

Now the information Bruce was furnished with came mostly
114 from Achmet Sid el Qom, the alledged regicide of Sennar. This man
643 is from Fazugli, and as we always have to be cautious with Bruce's statements, we do not know exactly whether Achmet Sid el Qom spoke about the custom of king killing as it was in the past in his country of birth. Professor Awad and Mr. Chataway are also of this opinion. What supports such an idea is what Fraser says about the ceremonial killing of the Fazugli kings. Fraser writes: "In some tribes of Fazoql the king had to administer justice daily under a certain tree. If because of sickness or any other cause he was unable to discharge this duty for three whole days, he was hanged on the tree in a noose, which contained two razors so arranged that when the noose was drawn tight by the weight of the king's body, they cut his throat". 74) Seligman also quotes three instances from Fraser about the killing of the king at Fazugli. 75)

171 King killing is a widely spread custom in Africa, and to
643 try to cope with it is outside the scope of this paper. But in the Nile Valley, we have instances of the existence of the custom in Meroe, when king Ergamenes cut the throats of the priests instead of letting them kill him. We also have a story collected by Frobenius in Kordofan about the custom of king killing, and how one king was able to avoid his fate; and henceforth, the custom was abandoned. 76 This custom is in practice, or now in dormant form, among the Shilluk, the Burun and many other tribes of Dar Fung. It was alleged to be in existence among the Sennar kings, and was also alledged to have been the custom of the Abdullah Arabs, who
114 were the viceroys of the Fung kings in the North. 77) If thus the
171 custom was widely spread in the Nile Valley, there is no point in
174 alleging that the custom in Sennar was brought by the Shilluk,
643 because it is now clear that the origin of such a custom is to be sought after in the deep past of the cultures and civilisations that were planted, or originated in the Nile Valley.

There is no doubt that the Dar Fung tribes, as well as
174 the Nuba of southern Kordofan, represent the older substratum of the whole of the central and southern Sudan. This is judged by their isolation, the poverty of their present lands -which are merely rocky hills- the different languages and cultures etc.

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73) Tremaux, p. 199
74) Fraser, p. 266
75) Seligman, p. 425
76) Frobenius, L., Chapter I.
77) H.A. MacMichael, in his "History of the Arabs in the Sudan", Cambridge 1922, quoted by Seligman, p. 426.

The homesteads are arranged in roughly horse-shoe shape around an open space in which are tethered the sheep and cattle of the hamlet. Within this space is usually a very large hut (*luak*) used for animals in the rains and throughout the year as a guest-house and general village club. There is also usually a normal sized hut, with no surrounding fence, known as the *geu*, which is used as a dormitory by the unmarried men. In this hut are put the ashes of the cattle dung with which the young men cover themselves at night for warmth and protection from flies. Some villages have a tree in the central circle, but more often there is a complete and inhospitable absence of shade.

The homestead (*gol*) consists of two huts between which is an area enclosed by a fence of dura stalks or rough grass matting. The family group inhabiting the homestead is called also (presumably by transference) *gol*, and it is in this latter sense that the word *gol* will be used in this note.

In this sense *gol* is the smallest (though important) social unit in the tribe. An unmarried man does not own a homestead. All unmarried persons live in the homestead and adhere to the *gol* of their father. If their father is dead they adhere to the *gol* of their eldest married brother or, if they have none, to their deceased father's (married) brother. The owner of the homestead to which they adhere is the leader of their *gol*, and as such is responsible for the behaviour of its members. This vicarious responsibility on the part of the *gol* leader is a corollary to the principles of the ownership of cattle (and sheep). The cattle of the *gol* are owned and disposed of by the *gol* leader alone, and since the remedy for a wrong is a payment of cattle it follows that he and not the actual malefactor is held responsible. The position resembles that of the Roman family where the pater-familias alone is *sui juris*, all others being *alieni juris*. The Shilluk *filius familias*, however, becomes *sui-juris* on marriage which the Roman son did not. The vicarious responsibility of the *gol* leader has the convenient aspect that the *gol* leader is more easily found by the arm of the law than the actual malefactor because of the fact that he owns a homestead.

17: Pumphrey G-5 (1934-1938) 1941
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awarded the return of his cattle in full together with the custody of the children. The only cases where divorce may be said to result from an act of the parties is where the cattle have not yet fully been paid and the wife is in consequence still in her own village. In this case if the wife's *gol* despair of the full bride wealth ever being paid they may call off the marriage and marry her to another. In this case the first husband must be repaid the equivalent of the cattle paid by him and this repayment should be made a first charge on the new bride wealth. Deductions will be made here also for children born, for even in such cases the children will go to the husband, provided always that the proffered sheep has been accepted. 586

If the wife had produced sufficient children to wipe off the whole bride wealth the husband will be entitled to receive nothing upon termination of the marriage, except that as has been said if the marriage has been broken through the wife's bad behaviour the husband may be awarded the return of at least a part.

Until about 1910 upon a breach of marriage the wife's *gol* had to return not only all the identical cattle paid which were still living but also all their living offspring, quite irrespective of their having passed lawfully into the possession of others. Thus divorce produced a string of litigation horrible to imagine. This state of affairs still persists with some of the Dinka of Equatoria Province. It may have the social merit of making divorce even more unpleasant in its consequences for all concerned, but it possesses also many obvious disadvantages which led to the change made by the Resident of the Shilluk in about 1910. Thereafter equivalent cattle were to suffice and offspring born after payment were not reclaimable. This change has been accepted by the Shilluk though there are still cases where reactionary chiefs go by the old rules. The change had the effect of rendering cattle negotiable instruments. 177 586 648 691 [171]

COMPENSATORY PAYMENTS IN SEXUAL OFFENCES.

The generic word for cattle payments in respect of sexual offences is *kwor*. *Kwor* is payable to the *gol* of the woman concerned if she is unmarried or still living with her own *gol* and to the husband if she is 684

18: Howell E-5 (1937) 1941 FJ23 Shilluk FJ23

THE AGE-SET SYSTEM.

561 The age-grade[5] organisation is a system of compulsory associations based on classifications of age and sex. In structure it is usually tribal, in outlook and political function essentially democratic. Among the [621] Shilluk, however, age-sets are recruited within the local group or settlement and have no connection beyond similarity of form and function, with age-sets recruited in other settlements. As will be seen, the role which the organization plays in tribal and settlement life is very limited, and is confined to specific military purposes.

It has been stated by some authorities that the age-set system is entirely lacking among the Shilluk or that it has broken down beyond recognition.[6] This would not be surprising, for the organisation of a 182 group into parallel associations based on age and sex, for political 561 purposes at any rate, is almost incompatible with an autocratic political 693 system. It must be remembered that although the concept of monarchy [170] among the Shilluk has not reached the same level as in the Lakustrine Bantu kingdoms or certain other Bantu tribes, it is more developed 182 than among most kindred Nilotics. The age-set system necessarily cuts 561 across the bonds of consanguinity, and, without severe modifications of 614

5. See distinction between "age-set" and "age-grade" as followed by Prof. Radcliffe-Brown and quoted by E. E. Evans-Pritchard in *The Nuer: Age-sets*—Sudan Notes and Records Vol. xix pp. 233-234. Doctor Evans-Pritchard also refers to "Age-set" system rather than "Age-grade" system and since this is a more accurate description his terminology is followed below.

6. Hofmayer (Wilhelm Hofmayer "*Die Shilluk. Geschichte, Religion und Leben Ein Nilotes-stammes.*" 1923) does not mention age-grades specifically, but with reference to initiation and warfare he mentions the existence of such an organization.

> "Every man is a soldier and literally always under arms. Every Shilluk who has ceremonially danced is a warrior as long as he is able to bear arms. They form groups. Every settlement is independent with its own *Bany* (principle singer and president). Different settlements combine and sally forth under the leadership of the eldest *Bany* against their powerful enemies. The *Bany* has only advisory powers and is chosen by the chiefs of the district. Unmarried youths form what corresponds to our permanent army, which is divided according to age and has many names."

18: Howell E-5 (1937) 1941 FJ23 Shilluk FJ23

535 leave the dancing ground. Within a few minutes the village is clear
881 of all guests, those who are unable to stand being swept along in the rush.

881 Before dancing for the first time the initiate is usually presented
431 with two spears by his father. The sons of rich men are presented with a bull (*Walk Owono*) as well.[8] This bull is treated with great care
[563] and affection by the young warrior and he is given a new name by his age-mates—taken from the colour of the bull and they alone may call him so. Theoretically the bull is kept throughout his life, a new
[583] one of similar colour and markings being substituted when it dies. It is never given as bride-wealth. The initiates then visit their relatives
881 in the settlement and after a short period of travel return home. In
574 the past these visits were probably on a wider scale and according to Hofmayer "after the dance it is the custom for the Shilluk initiates
[114 to lead a nomadic life for a time, traversing the country from one end
171] to the other." This statement is probably an exaggeration, but a period of wandering visits is common among African peoples before final reintegration into the community in adult status.

535 At the *Cong Bul*, initiates are introduced to their new privileges
764 together, but the rest of the warriors are not drawn up in age-sets.
881 At the "*Kwogo*" and "*Yok*," which are funeral ceremonies, the male
561 Shilluk are organized according to their respective age-sets. There are few other occasions when the age-set system functions at all.

476 Among the Shilluk the more arduous processes of cultivation are
561 carried out communally. A man will invite his neighbours and relatives to help him in his fields and will provide merissa for them afterwards. The helpers are not necessarily his age-mates and it does not appear

[178] 8. The Shilluk say that the custom is dying out and that few fathers have bulls to spare. In any case the youth will take the name of one of his father's bulls. The *Walk Owono* is a source of great pride to its owner and songs are composed about it which are sung for the benefit of girls.

An approximate translation of the song of Ajak, an inhabitant of the Zeraf mouth is as follows:

"I have a grey bull, a great bull,
I am going to Golbaign to buy a bell,
A bell for the bull that lives in
My fathers byre."